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House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 22, 2010, at 2 p.m.

Senate

TUESDAY, SEPTEMBER 21, 2010

The Senate met at 10 a.m. and was called to order by the Honorable AL FRANKEN, a Senator from the State of Minnesota.

PRAYER

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

Let us pray.

God be in our heads, eyes, mouths, hearts, and in our understanding. God be in our looking, our thinking, and our speaking. God be with the Members of this legislative body today. Teach them and lead them into all truth. Unite them with a common desire to do what is best for our Nation and world. Give them grace to take judicious risks for the sake of truth and justice. Enable them to experience a fresh regenerating touch of Your power. In the decisions to be made in crucial days ahead, make them worthy of these demanding times that call aloud for wisdom and character. We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable AL FRANKEN 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, September 21, 2010.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. FRANKEN 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, today in the Senate there will be a period of morning business until 11 a.m. with the time controlled between the leaders or their designees. The majority will control the first half of that time; the Republicans will control the second half.

Following morning business, the Senate will resume consideration of the motion to proceed to the Defense authorization bill. The time until 12:30 p.m. will be equally divided between Senators LEVIN and MCCAIN or their designees.

The Senate will then recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings. At 2:15, the

Senate will proceed to a vote on the motion to invoke cloture on the DOD authorization bill.

DEFENSE AUTHORIZATION

Mr. REID. Mr. President, I want to say a few things on the vote we will have at 2:15 p.m. today. The issue that is creating all of the attention is a provision that the committee put in the bill dealing with don't ask, don't tell. The committee did a good job on that issue. What they said is, if the President of the United States and the Secretary of Defense, after reviewing the work being done by the Pentagon—which will be completed this December—decide it is in the best interest of the United States military to do away with that policy, that will be the case.

There are some who are saying this bill that came out of the committee repeals don't ask, don't tell. That is not the fact. It is not repealed in the bill. It simply says, I repeat, if the Defense Department, with the Secretary of the Defense and the President, certifies it will have no negative effect on the military after studying the Pentagon's work, then they can move forward on that and, in effect, repeal that policy. But it is not in this bill.

Anyway, the point is, we are going to have that vote at 2:15 p.m., and I will discuss with the Republican leader later today what we are going to do if there are amendments that are going to be offered on that. I have said some of the things I am interested in doing on that bill. I am not here in any way suggesting that people aren't being accurate in their depiction of this bill. I

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



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just want to make sure that people understand what the facts are on this bill, and I think the Armed Services Committee did an extremely good job in committee.

RECOGNITION OF THE MINORITY LEADER

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

DEFENSE AUTHORIZATION

Mr. MCCONNELL. Mr. President, it is no secret that Americans are unhappy with the way our friends on the other side have handled things over the past few years, and especially the last year and a half. Americans have been speaking out across the country about the need to return to a smaller, more competent, more accountable government that lives within its means. Instead, Democrats in Congress have given them more government, more spending, more debt—and now they are threatening a massive tax hike to top it all off.

What has been most remarkable to me in watching this all play out is the way our friends on the other side have doubled down on their plans in the teeth of public outrage. Yesterday, we saw a CNBC survey showing most Americans don't like the idea of seeing taxes raised on anybody at this point. CNN says that most of the economists it surveyed said the best thing we can do for businesses is to assure them their taxes won't go up at the end of the year.

Yet Democratic leaders are still clinging to the discredited idea that government needs more power, more money for more Washington programs. Maybe the reason is that the Democratic vision of recovery—their idea of success, according to the assistant majority leader—is 9 percent unemployment. That is right. Yesterday, the No. 2 Democrat in the Senate said that Congress could “breathe a sigh of relief” at 9 percent unemployment or less. That is their idea of success.

Well, our idea of success is for businesses to start hiring again and to get this country back on track. It seems the more Americans say they want Democrats to stop what they are doing and focus on jobs and the economy, the more determined they are to press ahead with their various liberal agenda items while they have still got the chance.

That is basically what today's vote on the Defense authorization bill is all about. The Defense authorization bill requires 4 or 5 weeks to debate. But instead of having that debate or turning to the Defense appropriations bill, which funds the military, they want to use this week for a political exercise. They want to weigh this bill down with controversy in a transparent attempt to show their special interest groups ahead of the election that they haven't forgotten them.

It is quite astonishing. Democrats have called up this bill not to have a vote on it or to consider amendments to help our troops in the field but to put on a show—to use it as an opportunity to cast votes for things Americans either don't want or aren't interested in seeing attached to a bill that is supposed to be about defense.

My friend, the majority leader, has already said this bill isn't going to pass with these items attached to it before the election. But he is keeping them on there anyway. So this is not a serious exercise, it is a show. And it is because of shows such as this our friends have lost credibility with the public.

Americans want us to take care of the basics and do it competently—take care of the basics and do it competently. This isn't too much to ask. But evidently it is too much to ask of Democratic leaders in Congress right before the election.

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

I withhold my request.

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 until 11 a.m., with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half.

The Senator from Washington.

DEFENSE AUTHORIZATION

Mrs. MURRAY. Mr. President, today I am joining with Senator BROWNBACK to introduce a bipartisan amendment to the Defense authorization bill that will save and create jobs in one of the most important sectors in our economy—our aerospace industry.

Our amendment is about protecting skilled family-wage jobs—manufacturing jobs, engineering jobs, and jobs with technical skills and expertise that are passed from one generation to the next. These are jobs that not only support families during this difficult economic time but that are also helping keep entire communities above water—jobs in communities such as Kansas, Connecticut, California, and in my home State of Washington. They are jobs that support small businesses, pay mortgages, and create economic opportunity, and are jobs that right now are at risk because of illegal subsidies that undercut workers and create an uneven playing field for America's aerospace workers.

The amendment Senator BROWNBACK and I are offering is a commonsense,

straightforward way to protect American aerospace jobs from unfair European competition, and it is an amendment that specifically targets a major job-creating project—the Air Force's aerial refueling tanker contract—as a place where we can begin to restore fairness for our aerospace workers. This amendment says that in awarding that tanker contract the Pentagon must also consider any unfair competitive advantage aerospace companies have. And there is no bigger unfair advantage in the world of international aerospace than launch aid.

As you may know, Mr. President, launch aid is direct funding that has been provided to European aerospace company Airbus from the treasuries of European governments. It is what supports their factories and their workers and their airplanes. It is what allows them to roll the dice and lose. And it is what separates them from American aerospace companies such as Boeing, which bets the company on each new airplane line. In short, it is what allows them to stack the deck against our American workers.

In July of this year, the World Trade Organization handed down a ruling in a case that the United States brought against the European Union that finally called launch aid what it is—a trade-distorting, job-killing, unfair advantage. In what was one of our Nation's most important trade cases to date, the WTO ruled very clearly that launch aid is illegal. It creates an uneven playing field. It has harmed American workers and American companies and it needs to end.

Specifically, the WTO found that European governments have provided Airbus more than 15 billion Euros in launch aid, subsidizing every model of aircraft ever produced by Airbus in the last 40 years, including the model they plan to put up for our tanker competition. They ruled that France and Germany and Spain provided more than 1 billion Euros in infrastructure and infrastructure-related grants between 1989 and 2001, as well as another 1 billion in shared transfers and equity infusions into Airbus. They ruled that European governments provided over 1 billion Euros in funding between 1986 and 2005 for research and development directed specifically to the development of Airbus aircraft. In fact, the Lexington Institute estimates that launch aid represents over \$200 billion in today's dollars in total subsidies to Airbus.

Launch aid has had very real consequences. It has created an uphill battle for our workers and for American aerospace as a whole. Because of launch aid, our workers are now not only competing against rival companies, they are competing against the treasuries of European governments. At the end of the day, that has meant lost jobs at our American aerospace companies and suppliers and in the communities that support them.

I have been speaking out against Europe's market-distorting actions for