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Senate

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.

Gracious Lord, whose glory has been revealed through the generations, in this time of change renew within our Senators a true understanding of Your providential purposes. Create in them a fervent desire to do Your will and to trust You to produce the results so desperately needed to heal our Nation and world. Lord, guide them with the light of Your truth so they can see clearer the path You would have them follow. May their priorities reflect Your wisdom so that Your liberating love will be felt in all they say and do. Help them to emulate the depth of Your caring in their relationships and responsibilities. Lord, we ask you to bless our new Senators with Your wisdom and courage.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 15, 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, the Presiding Officer and I have had a number of occasions to speak in the recent weeks. Welcome to you and everyone else, the floor staff, who are so valuable, and our pages. We look forward to a busy next few weeks.

Following leader remarks, the Senate will turn to a period of morning business, with Senators permitted to speak for up to 10 minutes each. At 4 o'clock today, Vice President BIDEN will swear in Senators COONS of Delaware and MANCHIN of West Virginia.

There will be no rollcall votes during today's session of the Senate. As a reminder to my colleagues, before the recess I moved to proceed on a few bills. I filed cloture on the motions. As a result, we could have a series of up to three rollcall votes at a time to be determined on Wednesday. Those cloture votes will be on motions to proceed to the following bills: Promoting Natural Gas and Electric Vehicles, Paycheck Fairness Act, and the food safety legislation.

The Senate will not be in session tomorrow in order to allow for caucus meetings and leadership elections.

MEASURES PLACED ON THE CALENDAR—H.R. 4168, H.R. 4337, AND H.R. 847

Mr. REID. Mr. President, I am told there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title en bloc.

The bill clerk read as follows:

A bill (H.R. 4168) to amend the Internal Revenue Code of 1986 to expand the definition of cellulosic biofuel for purposes of the cellulosic biofuel producer credit and the special allowance for cellulosic biofuel plant property.

A bill (H.R. 4337) to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes.

A bill (H.R. 847) to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these proceedings en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under rule XIV.

LAMEDUCK SESSION

Mr. REID. I welcome back, as I have indicated, my friends and welcome our new colleagues who will be sworn in as Senators this afternoon. With Senators MANCHIN and COONS joining our family, the Senate will look a little different starting today. It will soon look much different with 16 new Senators taking office. Some desks will switch aisles but the majority has not changed.

On the other side of this building, the House of Representatives will look even more different with a new majority and new leaders. But before any of that happens, we need to use the next few weeks to finish some business. The 111th Congress is not over yet, and the lameduck session starts today.

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



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I will work with my caucus and with Senator MCCONNELL who will, of course, work with his caucus. We will see what we can get done before the start of the 112th Congress in January.

The American voters sent us a message two Tuesdays ago. That message is they want us to deliver. They want us to work together. Voters did not elect only Republicans; they did not elect only Democrats; and they did not want either party to govern, stubbornly demanding their way or the highway. When the heat of the campaign season cools, our constituents are more interested in us getting things done. They would rather we work with each other than talk past each other. Despite the changes, our charge remains the same. Our No. 1 priority is still getting people back to work, and the most important change we can make is in working more productively as a unified body to help our economy regain its strength.

I welcome back my counterpart, the esteemed Republican leader. We have had, of course, conversations since the elections. I look forward to our continued work together.

RECOGNITION OF THE MINORITY LEADER

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

Mr. MCCONNELL. Mr. President, I thank my friend, the majority leader, and congratulate him on his reelection and look forward to working together to wrap up the business of this current Congress and working with him again in the next Congress.

EARMARKS MORATORIUM

Mr. MCCONNELL. Mr. President, I have seen a lot of elections in my life, but I have never seen an election like the one we had earlier this month. The 2010 midterm election was a "change" election, the likes of which I have never seen, and the change that people want, above all, is right here in Washington.

Most Americans are deeply unhappy with their government, more so than at any other time in decades. And after the way lawmakers have done business up here over the last couple of years, it is easy to see why. But it is not enough to point out the faults of the party in power. Americans want change, not mere criticism. And that means that all of us in Washington need to get serious about changing the way we do business, even on things we have defended in the past, perhaps for good reason.

If the voters express themselves clearly and unequivocally on an issue, it is not enough to persist in doing the opposite on the grounds that "that's the way we've always done it." That is what elections are all about, after all. And if this election has shown us anything, it is that Americans know the

difference between talking about change, and actually delivering on it.

Bringing about real change is hard work. It requires elected officials, whether they are in their first week or their 50th year in office, to challenge others and, above all, to challenge themselves to do things differently from time to time, to question, and then to actually shake up the status quo in pursuit of a goal or a vision that the voters have set for the good of our country.

I have thought about these things long and hard over the past few weeks. I have talked with my Members. I have listened to them. Above all, I have listened to my constituents. And what I have concluded is that on the issue of congressional earmarks, as the leader of my party in the Senate, I have to lead first by example. Nearly every day that the Senate's been in session for the past 2 years, I have come down to this spot and said that Democrats are ignoring the wishes of the American people. When it comes to earmarks, I will not be guilty of the same thing.

Make no mistake. I know the good that has come from the projects I have helped support throughout my State. I don't apologize for them. But there is simply no doubt that the abuse of this practice has caused Americans to view it as a symbol of the waste and the out-of-control spending that every Republican in Washington is determined to fight. And unless people like me show the American people that we are willing to follow through on small or even symbolic things, we risk losing them on our broader efforts to cut spending and rein in government.

That is why today I am announcing that I will join the Republican leadership in the House in support of a moratorium on earmarks in the 112th Congress.

Over the years, I have seen Presidents of both parties seek to acquire total discretion over appropriations. And I have seen Presidents of both parties waste more taxpayer dollars on meritless projects, commissions, and programs than every congressional earmark put together. Look no further than the stimulus, which Congress passed without any earmarks, only to have the current administration load it up with earmarks for everything from turtle tunnels to tennis courts.

Contrast this with truly vital projects I have supported back home in Kentucky, such as the work we have done in relation to the Paducah Gaseous Diffusion Plant in western Kentucky.

Here was a facility at which workers, for years, were unaware of the dangers that the uranium at the plant posed to their health or how to safely dispose of the hazardous materials that were used there. Thanks to an expose about the plant in the nineties by the Washington Post, the danger was made known and I set about forcing the government to put a cleanup plan in place and to treat the people who had worked

there. Through the earmark process, we were able to force reluctant administrations of both parties to do what was needed to clean up this site and to screen the people who had worked there for cancer. These screenings saved lives, and they would not have happened if Congress had not directed the funds to pay for them.

Another success story is the Bluegrass Army Depot, which houses some of the deadliest materials and chemical weapons on Earth. As a Nation we had decided that we would not use the kind of weapons that were stored at this site; and yet the Federal Government was slow to follow through on safely dismantling and removing them, even after we had signed an international treaty that required it. But thanks to congressional appropriations we are on the way to destroying the chemical weapons at this site safely and thus protect the community that surrounds it.

Administrations of both parties have failed to see the full merit in either of these projects, which is one of the reasons I have been reluctant to cede responsibility for continuing the good work that is being done on them and on others to the executive branch.

So I am not wild about turning over more spending authority to the executive branch, but I have come to share the view of most Americans that our Nation is at a crossroads; that we will not be able to secure the kind of future we want for our children and grandchildren unless we act, and act quickly; and that the only way we will be able to turn the corner and save our future is if elected leaders like me make the kinds of difficult decisions voters are clearly asking us to make.

Republicans in and out of Washington have argued strenuously for 2 years that spending and debt are at crisis levels. And we have demonstrated our seriousness about cutting spending and reigning in government. Every Republican on the Senate Appropriations Committee, for instance, voted against every appropriations bill in committee this year because they simply cost too much. Most included funding for projects in our home States. We voted against them anyway.

Banning earmarks is another small but important symbolic step we can take to show that we are serious, another step on the way to serious and sustained cuts in spending and to the debt.

Earlier this month voters across the country said they are counting on Republicans to make tough decisions. They gave us a second chance. With this decision, I am telling them that they were right to put their trust in us. And it is my fervent hope that it will help demonstrate to the American people in some way just how serious Republicans are about not letting them down.

Republican leaders in the House and Senate are now united on this issue, united in hearing what the voters have