



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, FRIDAY, NOVEMBER 19, 2010

No. 152

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, November 29, 2010, at 2 p.m.

## Senate

FRIDAY, NOVEMBER 19, 2010

The Senate met at 10:30 a.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.

Eternal Lord God, teach us this day, through all our employments, to see You working for the good of those who love You.

Deliver our lawmakers from all deception and free their hearts to give You zealous, active, and cheerful service. May they vigorously perform whatever You command, thankfully enduring whatever You have chosen for them to experience. Guard their desires so that they will not deviate from the path of integrity. Lord, strengthen them with Your almighty arms to do Your will on Earth, even as it is done in Heaven.

We pray in Your liberating Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK R. 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, November 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 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.

### MEASURE PLACED ON THE CALENDAR—S. 3975

Mr. REID. Mr. President, I am told that S. 3975 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 3975) to permanently extend the 2001 and 2003 tax relief provisions, and to permanently repeal the estate tax, and to provide permanent alternative minimum tax relief, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to this piece of legislation.

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

### SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will turn to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

As a reminder to my colleagues, last night we were able to reach an agreement to limit action on the FDA Food Safety and Modernization Act. I filed a cloture motion with respect to the bill. The cloture vote on the substitute amendment will occur at 6:30 p.m. Monday, November 29. Senators should expect up to five additional votes Monday night so we can complete action on that bill on Monday. Basically what we have is we have the bill, and we will complete action on that, and we have a number of amendments offered by Senator COBURN. As I recall, there is only one side-by-side to the work we have done. So we should be able to complete that very important bill, which will be such a relief to the people of our country. This will be the first modernization of our food safety programs in more than 100 years—something long overdue.

There will be no rollcall votes today. We have a number of matters we are working on, trying to have cleared today, and we hope we can do that. We will have to wait and see what the outcome of the day is.

But I appreciated everyone's cooperation late yesterday. It was very difficult to work through that. We had, of

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



Printed on recycled paper.

S8111

course, the Jack Lew nomination that was a problem that we were able to get cleared. We had to get that cleared because statutorily the President has a budget he has to submit to us. Without a leader at the Office of Management and Budget, it could not be done. So we got that done. We were able to arrive at an agreement on the food safety bill so we would not have to have multiple votes over the weekend. So I think we accomplished a lot this week.

For me personally, I had three caucuses, which were all extremely important for me and the caucus. We spent about 10 or 11 hours over the last few days discussing the lameduck and what we have next Congress.

The floor is now open.

#### 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, with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest 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. REED. 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.

#### VISIT TO THE CAPITOL

Mr. REED. Mr. President, I rise this morning to talk about a wonderful opportunity we had on October 20 in the Senate to host heroes, five young West Point graduates, who are currently recuperating at Walter Reed Army Medical Center. They came for a tour of the Capitol and for a lesson in history, and I want to thank the Senate Historian who came to the floor.

They had the opportunity to be in the Chamber and to see where the laws are created, which they, through their service and sacrifice, give us the chance to improve and defend and preserve the Constitution and make the laws of this country.

We were able, more importantly, to thank them, to thank them for their service to the Nation, and I am particularly pleased and proud because they carry on a tradition of selfless service to the Nation exemplified in the best moments of the graduates of the U.S. Military Academy. Each one was wounded while leading his troops out front, exposed to the dangers and hardships of warfare.

We had previously hosted a group of soldiers from the 82nd Airborne Divi-

sion—again, I have a very proud association as a former company commander in that division. We hope periodically to host other wounded warriors from Walter Reed.

But among our guests was CPT Dan Berschinski. Dan is a graduate from the class of 2007 from the Military Academy. He hails from Peachtree City, GA. He served with the 5/2 Stryker Brigade Combat Team. He was injured in Afghanistan. They were operating around the Arghandab River Valley near Kandahar. He was on patrol, dismounted, when he was hit by an IED and suffered the loss of both of his legs but not the diminution of his spirit or his commitment of service to the Nation.

We were also joined by 1LT Chris Nichols, from the class of 2008. Chris is from Myersville, MD. He served with the 1st Heavy Brigade Combat Team of the 3rd Infantry Division. He was injured in Iraq, northeast of Baghdad, by an explosively formed penetrator IED, a very sophisticated weapons system. It injured both of his legs. He was joined by his friend, Stacey Aleksejus. We were pleased that Chris and Stacey were here. Chris is, hopefully, going to return to Active Duty.

We were also joined by 1LT Rahul Harpalani from the class of 2008. Rahul is from Carbondale, IL. He served with the 4th Brigade Combat Team of the 4th Infantry Division. He was wounded in Konar Province in Afghanistan. An IED exploded against the vehicle he was driving. Both legs were injured. We hope, again, that he will be recuperating well.

We were also joined by 1LT Josh Linvill, USMA class of 2008 from Wayne, PA. He served with the 3/2 Stryker Cavalry Regiment. He was wounded in Kandahar, Afghanistan. He stepped on a land mine, injuring his right leg.

We were joined also by 1LT Zach Osborne, class of 2008, from Roanoke, VA. He served with the 5/2 Stryker Brigade Combat Team, once again in the Arghandab River Valley of Afghanistan. An IED hit the vehicle he was riding in. Both of his legs were injured. We were pleased he was joined by his non-medical attendant, Daniel Key.

These young men have served, but their families have served also, and we wish to thank them as well. They, too, have sacrificed. In fact, all of us have been up to Walter Reed and as we have gone through the corridors, we have seen mothers and fathers in the rooms with their sons, as well as wives and husbands and children and grandparents and uncles and aunts, because the sacrifice of these young men and women has been borne by their families as well as themselves.

I also wish to thank COL Jim Wartski. Jim is from the class of 1982. He serves as a mobilized reservist at Walter Reed; he, as well as Mr. Fred Larson, the director of Care and Service Transformation. These two gentlemen escorted the wounded warriors.

They also represent some of the improvements not just to the physical infrastructure of Walter Reed but to the management of Walter Reed, from the patient-centered care to the continued engagement and involvement of these young men and women, not only while they are in acute care, but also as they recuperate and rehabilitate, and that is an improvement that has been made and is so necessary.

These young men—in this case, all young combat officers—men, but young men and women who are serving and sacrificing and sustaining the wounds and, in some cases, giving their lives to this Nation are the fabric of our defense. They are what has sustained us through not just this moment but throughout our history. They continue to inspire us with their service, and they continue to represent to the world the continued promise that wherever we are challenged, we will meet that challenge.

We cannot repay them enough. We cannot thank them enough. But last month this Senate had the opportunity to say to five of these warriors: Thank you very much. Come here, see the Senate of the United States where great debates have taken place, where the rights and the responsibilities have been fashioned over more than 200 years. This is what you defend. But, more importantly, you give us the opportunity and the obligation to ensure that your sacrifice is not in vain; that we work here, as you do, as committed Americans to improve the lives of our fellow Americans, to defend their security, but also to provide opportunity, to do what is difficult and sometimes unpopular but what is necessary for the success of freedom and the success of the families of this country.

At moments in this body, we have, a sense of frustration, a sense of—let me stop at frustration. At those moments when we are divided by political issues, by policy debates, I ask us all to think for a moment of these young men and women. I think that will help immensely in our response to the challenges we face as a Senate and as a nation.

I also wish to say something else because this week in Rhode Island, we had to bury a warrior, SGT Michael Paranzino of the 10th Mountain Division. Michael left his wife and two small children, his parents, his family, his friends, and the whole community of Rhode Island. He was an extraordinary young man.

The cost of this great experiment in democracy is high indeed. We have to recognize that cost, not just in speeches on the floor of the Senate but going forward: how we conduct ourselves as Senators; what we do to make this country stronger and better; what we do to make it more a place of opportunity for all of our citizens. Particularly, it is about what we will do not in the next 2 months or the next 10 months but in the next 20 years to ensure that the veterans we honor on this