

today. They will soon leave the WAC together to join the Mountain West Conference, and the rivalry will continue. Although some recent games have been close—the 2007 one went to four overtimes—Nevada had not won since 1998.

But this year's Nevada team has been among the best in school history. It leads the conference in offense, rushing yards and points scored. After this weekend's win, it is ranged fourteenth in the country.

Still, beating a powerhouse like Boise State was no piece of cake. No one had beaten the Broncos since December 2008. The Wolf Pack were 14-point underdogs. They were down 17-0 late in the second quarter. Then quarterback Colin Kaepernick led an incredible second-half comeback and forced overtime.

They won the game when a 5-foot-6 freshman from McQueen High School in Reno, a young man named Anthony Martinez, kicked the most important field goal in State history.

It was not that long ago that the University of Nevada did not even field a Division I team. Now our proud program has knocked off one of the toughest teams in the Nation.

It is no fluke. Coach Chris Ault is an exceptional leader and a good man. I am proud to call him a very good friend.

I have known Chris for a long time. When he was just 23 years old, he became the youngest high school head coach in the state, leading the Bishop Monogue Miners in Reno. I was a member of the school's athletic booster club, and I was impressed with Chris Ault from the day I met him.

He led the Wolf Pack as its quarterback in the 1960s, as its athletic director two decades later, and has been its head coach three times, totaling 26 years. He is one of the smartest coaches in the country. A few years ago he invented the Pistol offense. Now schools across the Nation, and even some NFL teams, are copying it.

In fact, only two men enshrined in the College Football Hall of Fame are still actively coaching at the sport's highest level: the legendary Joe Paterno and Nevada's Chris Ault.

At the end of October, I was in church in Reno when a tall young man sat down next to me. It was Nevada's quarterback, Colin Kaepernick, preparing himself spiritually for the next game. In Friday's game, he became the first player in NCAA history to throw for more than 2,000 yards and run for 1,000 yards in three straight seasons.

Sometimes it is true what they say—that it is just a game. But this is one of those times when it is much more. This remarkable, memorable win means so much for an underrated and underappreciated athletic program, for a great university and for the whole State of Nevada.

Congratulations to Coach Ault, Colin Kaepernick, Anthony Martinez and the Wolf Pack. I never doubted you would pull it off.

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 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Pennsylvania.

START TREATY RATIFICATION

Mr. SPECTER. Mr. President, I have sought recognition principally to urge my colleagues to ratify the START treaty with Russia. I ask unanimous consent at the outset that the text of a memorandum from Senator JON KYL and Senator BOB CORKER, two Republican Members, dated November 24, 2010, regarding progress in defining nuclear modernization requirements be printed in the RECORD at the conclusion of my statement.

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

(See exhibit 1.)

Mr. SPECTER. I urge my colleagues to move ahead with the prompt ratification of this treaty.

I have long been interested in the relationship between the United States and the Soviet Union, predecessor to Russia, on the issue of arms control, going back to my college days as a student of international relations.

One of the first items which attracted my concern on election to the Senate was a Saturday speech made by then-President Reagan where he said essentially that the United States had sufficient weapons to destroy the Soviet Union and, similarly, the Soviet Union had sufficient weapons to destroy the United States. For decades, the two countries lived under the truce, so to speak, of mutual assured destruction. That has given way to arms control negotiations and the successful negotiation of treaties. For example, the START I treaty in 1992 was approved by a margin of 93 to 6. The START II treaty of 1996 was approved by a margin of 87 to 4. The Moscow Treaty of 2003 was approved by a vote of 98 to nothing.

The memorandum I have referenced raises a number of concerns which I submit to my colleagues ought not to stop us from moving ahead with ratification. For example, the memorandum makes this point on page 5:

Additional funding could be applied to accelerate the construction of these facilities to ensure on schedule completion. . . .

Well, there is no showing of a problem on on-schedule completion. To talk about "additional funding could be applied" is far from saying it is necessary for our national security.

The memorandum further says:

Further Administration effort to advance funding is the best path to successful completion of these facilities.

Well, here again, there is no showing that advance funding is necessary for successful completion. It simply says it "is the best path to successful completion of these facilities," but no showing that the current path is not an adequate path.

The memorandum, in another spot, makes this statement:

. . . the NNSA is reviewing an updated surveillance plan that could lead to greater budget requirements.

"Could." It does not say it would lead to greater budget requirements, and what is speculative as to what could happen ought not to be taken as any reason for objecting to the ratification.

Still later in the memorandum there is the statement:

. . . there are still no costs or funding commitments beyond FY 2015.

Well, that is not surprising when we are in the year 2010. Adequate time to consider and make commitments beyond 2015 is hardly a reason not to move ahead with ratification.

Then, on page 5, under the category of "Conclusion," there is a statement about "assurances from the appropriate authorizers and appropriators must be obtained to ensure that the enacted budget reflects the President's request."

Well, that is unrealistic. There is no way to get assurances from authorizers—that is referring to the Armed Services Committee—or the appropriators, specifically the Defense Appropriations Subcommittee, a subcommittee on which I have served during my tenure.

When you talk about getting assurances from legislators, from Senators, from Members of the House of Representatives, that, simply stated, is unrealistic, I submit.

The concerns I had in the early days of my tenure in the Senate led me to propose a resolution for a summit meeting which was contested by Senator Tower, who was then-chairman of the Armed Services Committee. On this floor—I can still see Senator Tower on the end seat in the third row back and I in the junior league my first couple of years in the Senate. Senator Tower was a tough advocate. We had quite a protracted debate about the triad.

I had done my homework. I had been to Grand Forks, ND, and seen the Minuteman II. It was my first experience seeing a nuclear weapon, and it was quite a sight. I recall looking down an open space—I think it went close to 100 feet, perhaps 90 feet; I would not affirm exactly what it was—and seeing the Minuteman II, and that was, in effect, small potatoes compared to what we have had since. I went to the Air Force base in California to look at the B bomber, the B-1 or the B-2 at that time, and to South Carolina to Charleston to see the nuclear submarines.

I had quite a debate with Senator Tower as to whether the subs were detectable, which bore on the issue of whether we had sufficient strength, and the tabling motion was defeated on a vote of 60 to 38. I recall Senator Laxalt walking down the aisle and voting no and starting to head for the Republican cloakroom, and Senator Tower walked fast, chasing him up the aisle, and said: You don't understand, Paul, this is a tabling motion. I am looking for an "aye." And Laxalt turned and said: I understand what you are after, John, but I agree with Arlen Specter. Senator Tower said: He is trying to tell the President what to do. Senator Laxalt said: Well, so is everybody else—really, in effect, saying that is what Senators do from time to time, just expressing their opinions.

The tabling motion was defeated 60 to 38, and the resolution was adopted 90 to 8.

There has been a lot of unease and consternation among foreign nations as to what is going on in the Senate. I do not question the motives of the writers of the memorandum. I do not question their motives or their good faith. But there is considerable concern both at home and abroad as to the gridlock which now confronts the Senate. That is inevitable when one Senator says: We are going to see to it that this is President Obama's Waterloo, and when leadership on the other side of the aisle says: Our principal objective is to defeat President Obama in 2012. There is a concern about what is happening, whether there are really bona fide objections to the START talks.

In connection with the travels I have undertaken during the course of the past many months—in India, with a congressional delegation, a group of us met with the Prime Minister of India, a concern about agreements made with our executive branch, whether they will be upheld; a meeting with officials in China on certain trade issues; talking to leaders in other foreign countries, a real question about what is going on in the government of the United States.

In this interdependent world, I suggest it is very important we project a national image, a national posture of rationality in what we are doing and not to throw up roadblocks to international agreements such as START without good reason in the context where at least in appearances there is obstructionism.

When we talk about risks involved, my own view is that we are far at this point from a threat with the Russian Government. This is not the day of the Cuban missile crisis in 1962 when the world may have teetered on the edge of a nuclear confrontation. The relations with the Soviet Union were disintegrated. The relations with Russia are vastly improved, and we need the cooperation of Russia in dealing with many very vexing international problems, paramount of which is our dealings with Iran and the need to have the

Russians join us in sanctions against Iran and to promote the Russian offer to enrich the uranium from Iran so they do not enrich it themselves, posing a threat with what Iran would do with enriched uranium—a threat which is not present if it is not in Iran's hands when uranium is enriched, which could be used for peaceful purposes.

We see today the importance of the cooperation of China in the concerns we have with North Korea. When that problem broke last week, my first comment publicly in a television interview on MSNBC was to state what was the obvious: that we had to engage China to deal with North Korea. China's initial comments were muted, were not very encouraging. I am pleased to see the most recent reports are that China is moving ahead to try to deal with a threat posed by North Korea, having shuttle talks between North Korea and South Korea.

So it is in this overall context of having the assurances registered with foreign governments that there is rationality. When we talk about risks, my own assessment—and I have studied this situation closely. I was a member of the U.S. arms talks in Geneva going back into 1987, during that decade and beyond. But the risks are not what they once were. It is never possible to eliminate risks entirely, but when we are looking to evaluate the balance of risks and international cooperation with Russia and our conduct on START, as we project an image of strength with other countries, the risk is well worth taking to the extent that it exists. Again, I say my own evaluation is that there is not much of a risk involved.

The Washington Post, last Friday, November 26, quoted one of the authors of the memorandum expressing satisfaction:

I've come to the conclusion that the administration is intellectually committed to modernization now. . . . Whether they're committed in the heart is another matter. Suppose Start is ratified, and they no longer have to worry about that? Will they continue to press for the money?

Well, if we concede there is a commitment, be it an intellectual commitment, there is not a whole lot more that we can ask for.

EMBRYONIC STEM CELL RESEARCH

Mr. SPECTER. Mr. President, I had spoken about this when we reconvened several weeks ago, that it is my hope that Congress, the Senate specifically, will take up legislation which I have introduced which would authorize the use of Federal funding for embryonic stem cell research. Embryonic stem cell research holds enormous potential. You take the embryos which are the most flexible of all of the stem cells and they can replace diseased parts of the body and they offer promise of a veritable fountain of youth.

The U.S. District Court for the District of Columbia said the Executive

order issued by President Obama was invalid. But Congress has the authority to legislate to cure any defect. The case is on appeal to the circuit court, and a stay has been issued. But the scientists are very apprehensive, as they testified before the Labor, Health and Human Services Subcommittee. There are some 200 projects with some \$200 million involved.

It is not a constitutional matter. It is a matter of statutory interpretation on the existing statute. But to the extent there is any ambiguity, this is something which we ought to address and we ought to address promptly because it is a life-and-death matter. As long as the litigation is pending in the Federal court, the scientists do not know which way to turn. So they have made their point very clear.

The case could go on for a very protracted period of time when you have to file briefs, have argument, and a decision in the Court of Appeals for the District of Columbia. Then a possible petition for certiorari could take a matter of years. With the ideological issues involved, who knows what the final outcome would be in the judicial system. But that can all be put to rest by legislation.

TELEVISIONING THE SUPREME COURT

Mr. SPECTER. One other point briefly—I see a colleague awaiting an opportunity to speak—and that is my hope we will address, before the end of the year, the issue of televising the proceedings of the Supreme Court of the United States. This is an issue I have worked on, on the Judiciary Committee, for a couple decades now. It has been reported a number of times out of committee. It is currently on the Senate agenda.

The Supreme Court of the United States decides all of the cutting edge questions. There ought to be transparency. When the case of *Bush v. Gore* was argued, then-Senator BIDEN and I wrote to the Chief Justice urging that the proceedings be televised. We got a response back in the negative, but on that day there was a simultaneous audio released. I noticed 2 weeks ago that on C-SPAN there was a Supreme Court argument which was a couple weeks old with an audio, and they had a picture of the Justice who was speaking and a picture of the lawyer arguing the case—sort of like movies before talking; sort of like silent movies. There was an audio.

It is high time the public's business be open. Newspaper reporters can walk into the Supreme Court, make notes, upheld by the Supreme Court of the United States. Visitors are limited to some 3 minutes. The chambers can only hold about 250 people. It is time the Court was televised. I hope the Senate will act. I have discussed the issue with the leadership in the House and there are positive responses on the issue.