

reassembled when called to order by the Presiding Officer (Mr. UDALL of Colorado).

The PRESIDING OFFICER. The majority leader.

**MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2011**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.J. Res. 101, which is the 2-week continuing resolution; that the joint resolution be read three times, passed; the motion to reconsider be laid on the table; and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 101) was ordered to be read a third time, was read the third time, and passed.

**FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2010**

Mr. REID. Mr. President, I ask the Chair to lay before the Senate a message from the House with respect to H.R. 4853.

The Presiding Officer laid before the Senate a message from the House as follows:

H.R. 4853

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 4853) entitled “An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.”, with a house amendment to the Senate amendment.

MOTION TO CONCUR WITH AMENDMENT NO. 4727

Mr. REID. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 4853 with an amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment with an amendment numbered 4727.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

Mr. REID. On that I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

CLOTURE MOTION

Mr. REID. I have a cloture motion which is at the desk.

The PRESIDING OFFICER. Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move

to bring to a close debate on the motion to concur in the House amendment to H.R. 4853, the Airport and Airway Extension Act of 2010, with an amendment No. 4727.

Harry Reid, Charles E. Schumer, Benjamin L. Cardin, Barbara Boxer, Al Franken, Jeanne Shaheen, Mark R. Warner, Debbie Stabenow, Sheldon Whitehouse, Mark Udall, Tom Udall, Byron L. Dorgan, Patty Murray, Robert P. Casey, Jr., Patrick J. Leahy, Tom Harkin, Jeff Merkley.

AMENDMENT NO. 4728 TO AMENDMENT NO. 4727

Mr. REID. I have a second degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. SCHUMER, Ms. STABENOW, and Mr. MENENDEZ, proposes an amendment numbered 4728 to amendment No. 4727.

Mr. REID. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the second-degree amendment No. 4728.

Harry Reid, Charles E. Schumer, Benjamin L. Cardin, Barbara Boxer, Al Franken, Jeanne Shaheen, Mark R. Warner, Debbie Stabenow, Sheldon Whitehouse, Mark Udall, Tom Udall, Robert P. Casey, Jr., Frank R. Lautenberg, Dianne Feinstein, Mark L. Pryor, Richard J. Durbin.

Mr. REID. I ask unanimous consent that the mandatory quorums required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOTION TO REFER WITH AMENDMENT NO. 4729

Mr. REID. Mr. President, I have a motion to refer with instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message to the Senate Committee on Finance with instructions to report back forthwith, with the following amendment:

At the end, add the following:

The Senate Finance Committee is requested to study the impact of any delay in extending tax cuts to middle income Americans with incomes up to \$250,000.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4730 TO AMENDMENT NO. 4729

Mr. REID. I have an amendment to my instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4730 to amendment No. 4729.

Mr. REID. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, insert the following:  
“including specific information on the impact of the delay in extending the tax cuts.”

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4731 TO AMENDMENT NO. 4730

Mr. REID. Mr. President, there is a second-degree amendment at the desk that I ask be reported.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4731 to amendment No. 4730.

Mr. REID. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, insert the following:  
“and include statistics which reflect regional differences”

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, we have worked hard today trying to be at a point where we could be further down the road than we are. I know the Republican leader has worked hard to try to get to a point where we could have the four amendments that people are talking about all around this city.

We were not able to do that because of at least one Republican who held that up. Senator McCONNELL has given this a valiant try and I have been in the position he is in and I understand that. I certainly do not criticize him.

I would hope everyone understands we are going to have to have some votes Saturday. We are going to wind up having, right now, two cloture votes. We may not have any more. We

may not be able to work out anything with the minority. But everyone should be aware that could happen. We are satisfied, if the minority does not want those other two amendments, then we will just go ahead as we are scheduled now under the rules of the Senate.

We are going to have to be here on Saturday. We have so many things to do, as everyone knows, and we have been trying to work through some of that this week and have not gotten through nearly as much as we wanted.

I am, however, disappointed we have not been able to do more. I received a letter from all the Republicans yesterday saying: We are not going to allow you to do anything legislative until we get the tax cuts resolved and funding the government.

Well, we are not only not getting legislative things done now, now they are not letting us do the tax cuts and funding the government. So we are going to try to work our way through this. We have a lot to do. We have to work together, and I intend to be as cooperative as I can. My caucus, even though we have very strong feelings, recognized we are trying to do what is good for this country, but we cannot do them alone. I apologize for not having more definition early on, but we did the best we could.

So tomorrow we are going to be in session and there will be time for people to give some speeches and do the things they need to do. Be prepared for Saturday. As to what time Saturday, we do not know. Under the rule, it is 1 hour after we come in. If we can work out something different than that, we will do it.

The PRESIDING OFFICER. The assistant majority leader is recognized.

#### MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### OUR NATION'S COINAGE

Mr. DODD. Mr. President, I would like to briefly describe two pieces of legislation which were before the Committee on Banking, Housing, and Urban Affairs, and recently secured full approval of the Senate.

The first piece of legislation is H.R. 6162, the Coin Modernization, Oversight, and Continuity Act of 2010. This bill principally addresses the issue of how to approach the costs of metals used to make our Nation's circulating coinage. In recent years, market prices for various metals—including those used for our Nation's coinage, such as nickel, copper, and zinc—have risen to such a point that it costs the U.S. Mint more than a penny to make a penny, and more than a nickel to make a nick-

el. By giving the Treasury Secretary the authority to conduct research and development on metallic materials for all circulating coinage, as appropriate, and mandating a biennial report on the status of current coin production costs and an analysis of alternative content, this legislation will equip the U.S. Mint with the tools necessary to present detailed legislative recommendations to Congress. Should the Congress decide to act on any such prospective recommendations for lower cost metallic materials and combinations, there could be considerable savings to the taxpayer over time. In addition, this bill gives the Secretary flexibility in determining the quality and quantity of gold and silver bullion coins produced. The Mint has recently taken drastic but prudent measures to meet the extraordinary demand for silver and gold bullion coins and has suspended production of its proof and uncirculated versions, which are of great intrinsic value to collectors and coin enthusiasts. Going forward, the Mint will be able to simultaneously offer these higher-quality versions directly to the public while continuing to satisfy demand for bullion coins.

The second piece of legislation is H.R. 6166, the American Eagle Palladium Bullion Coin Act of 2010, which authorizes the Secretary to mint and issue a \$25 palladium bullion coin, subject to the submission of a report to Congress demonstrating sufficient public demand for such coins and no resultant net cost to taxpayers. Palladium is a sought-after investment-grade precious metal whose market price is often reliably above silver and below that of gold and platinum. Other governments have issued palladium bullion coins before as investment vehicles and collector's items, and this bill lays the groundwork for the U.S. Mint to carry out a unique palladium coin program that would benefit investors and numismatists, and cost nothing to the taxpayer.

The Coin Modernization, Oversight, and Continuity Act of 2010 and the American Eagle Palladium Bullion Coin Act of 2010 have both passed the House, and will now await the signature of the President. I am pleased that these two bills were approved by this body, as they reflect sound and measured policy towards improving the state of our Nation's coinage, and thank my colleagues for their help in getting these measures adopted.

#### NEW START TREATY

Mrs. GILLIBRAND. Mr. President, as a member of the Senate Foreign Relations Committee, I was proud to vote for the passage of the resolution of advice and consent to the New START Treaty between Russia and the United States in the Senate Foreign Relations Committee last September. It was the right thing to do for our national security.

The most dangerous threat to America and to the world is for a terrorist

organization or network to obtain a nuclear weapon. Nuclear disarmament is among the most critical steps we must take to keep our Nation and future generations safe. Ratification of the New START Treaty would reduce the number of nuclear weapons in the American and Russian arsenals, bolstering our national security by reducing the risk of loose nuclear weapons and materials falling into the hands of hostile nations or terrorist groups seeking to attack America or her allies.

Only recently, documents have revealed to the world the continuing significant risk that Pakistan's nuclear weapons could fall into the hands of terrorists. There are a number of ways for us to address and minimize this risk in Pakistan and other countries. An agreement between two nuclear leaders to reduce their stockpiles of nuclear weapons and to improve transparency and oversight is a critical factor to keeping nuclear weapons out of the hands of terrorists. By reducing the numbers of unneeded nuclear weapons in Russia, improving verification of Russian nuclear reductions, controlling and securing Russian nuclear warheads, and eliminating retired Russian delivery systems and vulnerable weapons-grade material new START would reduce the possibility that a nuclear weapon could be launched due to a terrorist attack, a misunderstanding, or a miscalculation, killing hundreds of thousands of Americans.

This continuation of a landmark agreement between our nations would be an important step in the President's efforts to convince other countries to get rid of their nuclear weapons. Countries like Ukraine have made this commitment in part due to the confidence that new START provides.

The treaty signed by President Obama and President Medvedev is sensible and it is right for our Nation's security; this is evidenced by the endorsements of several former Secretaries of Defense and State from both sides of the political aisle. I urge my colleagues in the Senate to ratify this treaty, ensuring a safer world for our children.

#### NOTICE OF INTENT TO OBJECT

Mr. GRASSLEY. Mr. President, I, Senator CHUCK GRASSLEY, intend to object to proceeding to H.R. 5717, the Smithsonian Conservation Biology Institute Enhancement Act, for the following reasons. The Smithsonian has had well documented problems keeping up with the maintenance needs of current structures and facilities. Additionally, I have investigated Smithsonian officials in the past few years regarding inappropriate use of taxpayer funds. I would like to examine whether the Smithsonian is able to meet its current operational requirements before legislation allowing for the construction of a new facility moves through the Senate without debate or even committee consideration.