



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, MONDAY, MARCH 28, 2011

No. 42

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, March 29, 2011, at 2 p.m.

Senate

MONDAY, MARCH 28, 2011

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Almighty God, Your hand is open wide to satisfy the needs of every living creature. Make us always thankful for Your loving providence, enabling us to remember the account we must one day give to You. Empower the Members of this body to be faithful stewards of Your good gifts. May they use their influence and power to bring glory to Your Name in all the Earth. May their lives provide exemplary models of excellence for others to follow.

And, Lord, we continue to ask You to guard our troops in harm's way.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL 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, March 28, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

BUDGET NEGOTIATIONS

Mr. REID. Mr. President, first, I welcome you and everyone back after the break we had doing work at home. I hope everyone had a productive week.

The past week was a productive one for the most crucial and closely watched discussion in Congress—our negotiations to keep the country running with a responsible budget for the rest of the fiscal year.

Though the Senate and House Chambers have been dark, Senators and Members of Congress worked together every day last week—me, my staff, the White House, and the House of Representatives, members of both parties, members of the congressional leader-

ship, and members of the Appropriations Committees—we have all been in contact. We have worked hard to make progress and pursue an agreement and a budget that best serves the American people. Democrats' priorities and goals have not changed from day one. We are committed to a long-term budget based in reality, not ideology. We are committed to keeping the country running, not using the American people as political pawns or to score political points.

We are more than willing to make smart cuts, but we are unwilling to do so on the backs of hard-working, middle-class families and the jobs on which they depend. We are ready to make tough choices that strengthen our country and strengthen our economy but will not make arbitrary or careless cuts that weaken it.

Let me briefly update the Senate on the progress of these talks and how far we have yet to go.

On our side of the negotiating table, we have made a proposal. That proposal makes significant cuts but will not hurt our fragile economy. We are also honest with ourselves and the country: We readily recognize that in the end, we will not get everything we want. That is true of any fair and reasonable negotiation. We recognize sacrifices are the cost consensus, and we believe they are worth it.

But on the other side, Republicans refuse to negotiate on a final number. That is because the biggest gap in this negotiation is not between Republicans and Democrats; it is between Republicans and Republicans.

The infighting between the tea party and the rest of the Republican Party—

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



Printed on recycled paper.

S1879

including the Republican leadership in Congress—is keeping our negotiating partner from the negotiating table, and it is pretty hard to negotiate without someone on the other side of the table to talk to.

Republicans have to resolve their own deep disagreements before we can find middle ground between the two parties. We have tried to wait patiently for them to do that, but our patience and the patience of the American people is wearing very thin.

We have only 2 weeks before the current temporary budget expires. Time is not on our side. It is time, I say to my Republican colleagues, to get to work. Work out your differences.

I, once again, remind the Senate that our willingness to compromise is in recognition of reality. We have already voted on a Democratic proposal and a Republican proposal. We have seen in practice—not just theory—that neither plan can pass unless it is adjusted. We all know neither party can pass a bill without the other party and neither Chamber can send that bill to the President without the other Chamber.

Democrats have long ago acknowledged that we need Republicans to pass a bill. But Republicans still have not admitted to themselves they need Democrats to pass a bill. Cooperation and compromise are not just good ideas. They are not political slogans. They are essential to the endgame. With a cooperative spirit and willingness to compromise, we can move the country forward. Without them, we cannot. It is as simple as that.

I can only speak for my Democrats when I say we are ready to negotiate and legislate. We are ready to do our jobs. But we cannot negotiate with ourselves, and we will not negotiate through the media. Once the Republicans settle their own internal disagreements and decide for what they stand, we will get this done. Until that happens, the country waits, watches, and worries.

SCHEDULE

Mr. REID. Mr. President, following any remarks of Senator McCONNELL, if he does wish to speak, there will be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each. At 3 p.m., the Senate will resume consideration of the small business jobs bill. There are currently 10 amendments pending. We will continue to work through them in order to complete action on this bill this week.

At 4:30 p.m. today, the Senate will proceed to executive session to consider Calendar No. 40, the nomination of Mae D'Agostino, of New York, to be U.S. District Judge for the Northern District of New York. At 5:30 p.m., the Senate will vote on that judgeship that needs to be filled.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that Senator BOOZMAN be recognized at 2:30 p.m. for up to 20 minutes to make his maiden speech to the Senate.

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

Mr. REID. Will the Chair announce morning business, please.

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, the Senate will be in a period for the transaction of morning business until 3 p.m., 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. McCONNELL. 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.

RECOGNITION OF THE MINORITY LEADER

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

MILITARY ACTION IN LIBYA

Mr. McCONNELL. Mr. President, today, as the American naval aviators in the Mediterranean wait offshore to fly combat missions against the Libyan Army, as marines wait for the call to go ashore to rescue a downed pilot, or as Air Force pilots fly combat air patrol, we are confident that all military orders will be met with the same professionalism and skill we have come to expect of our All-Volunteer Force. The valor and loyalty of the men and women of our Nation's Armed Forces have never been in question. Yet, despite that certainty, many Americans view our military intervention in Libya with anxiety and uncertainty. They are wondering why U.S. forces are once again engaged in combat action against an Arab regime in the Middle East. They are wondering when this operation will end and when their loved ones will return. And they are asking another reasonable question: What is the mission?

If the American people are uncertain as to our military objectives in Libya, it is with good cause. The President has failed to explain up to this point

what follows the evident establishment of a no-fly zone over Libya as it was originally described. Further, the President has articulated a wider political objective of regime change in Libya that is not the stated objective of our military intervention, nor is it the mandate of the U.N. resolution the President has used as a justification for our military efforts there.

Now that the objective of establishing a no-fly zone has been reached and our NATO allies are ready to assume the command and execution of this mission, it is fair to ask, what is the role of our military and military alliance in providing support to an opposition we are only now beginning to understand?

These concerns and questions are equally relevant here in the Senate and in the Congress since it is the responsibility of Congress to declare war, if it is war, and, of course, to fund our military operations.

The President stated:

There is no decision I face as your commander in chief that I consider as carefully as the decision to ask our men and women to use military force. Particularly at a time when our military is fighting in Afghanistan and winding down our activities in Iraq, that decision is only made more difficult.

Yet this latest decision was taken without adequate consultation with Congress or sufficient explanation to the American people.

Since returning from South America, the President has begun to talk in greater detail about our involvement in Libya. For the second time, he has discussed our operations in and around Libya with the congressional leadership. Over the weekend, he devoted his entire address to the topic, and he will speak to the American people tonight about our operations in Libya. All of this is welcome and, in my view, overdue.

Before addressing what answers I hope to hear from the President this evening, let me address the notifications to Congress that the President made.

Prior to the initiation of combat activities in Libya, the congressional leadership received two forms of notification of the President's decision to order Americans into harm's way. Prior to departing for his overseas trip, the President notified the congressional leadership of his plans to send American forces into combat action in a limited, discrete role to destroy the integrated air defenses of the Libyan Government and to enable our allies to establish a no-fly zone over Libya. The second notification was a written communication as part of his responsibilities under the War Powers Resolution.

Throughout his communications with the congressional leadership, the President has emphasized that the U.S. military would not undertake ground combat against the Libyan Army and that the American combat role would be limited in time, scope, and would be used simply as a means "to set the conditions for our European allies and