

New Deal?) Rebuking the court for substituting its will for that of Congress is downright strange, given that it is the Republicans who have run to the federal courts, imploring judges to strike down the Congressionally enacted Affordable Care Act.

Perhaps strangest of all is Mr. Gingrich's attack on *Cooper v. Aaron*, the court's celebrated response to the Little Rock school crisis of 1958. The unanimous opinion, signed individually by all nine justices for emphasis, held that Arkansas and all other states were bound by the court's interpretation of the equal protection guarantee four years earlier in *Brown v. Board of Education*. *Cooper v. Aaron* was, as Justice Breyer writes in his recent book, "Making Our Democracy Work," essential in its time and part of the "hard-earned victory for the rule of law" that the Little Rock story became. Newt Gingrich is unmoved. *Cooper v. Aaron*'s assertion of the Supreme Court's authority, he writes, was "factually and historically false."

Thinking back to Ms. Halligan's failed nomination, I actually don't disagree with everything in Mr. Gingrich's manifesto. Four words in boldface type on page 20 caught my attention: "Electing the right Senators."

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

#### IRAQ WAR AND BELARUSIAN ELECTION CRACKDOWN

Mr. DURBIN. Mr. President, I rise to comment on the U.S. war in Iraq, which thankfully is coming to an end this month. Secretary of Defense Leon Panetta made this historic declaration on Thursday at a formal ceremony in Baghdad.

This means many things to many people, but I am certain that it can't mean more than to the families of the brave men and women who will be coming home for the holidays—home from Iraq for good. To those men and women I would like to say: We are proud of what you have accomplished—you deposed a dictator and gave the people of Iraq a singular opportunity to chart their own future.

And to the families of these brave servicemembers, thank you for the loneliness and longing that you endured while your loved ones were away. And to those whose loved ones did not return, one can hardly imagine your loss.

The United States has been at war in Iraq for almost 9 years. President Obama made a promise to bring this war to a close—and I am proud to say he delivered on that promise.

Tens of thousands of troops have handed over security responsibilities to their Iraqi counterparts. The U.S. Embassy in Baghdad will take the leading role, continuing our engagement through diplomatic channels. Our remaining 4,000 troops will be home by the end of the year.

Whether you voted for or against the initial authorization for war—and I was one of the 23 to vote against it—we can all agree that its toll has been higher than many could have imagined.

The disproportionate strain this war placed on our servicemembers and their families has been enormous—at times almost unbearable—in back-to-back deployments, in post-traumatic stress, lost loved ones, and debilitating injuries.

Many are living with life-changing injuries.

Nearly 4,500 American service men and women have paid the ultimate price for their country, including 116 brave men and women from Illinois. Another 1,100 Illinoisans have been wounded physically—just some of the tens of thousands nationwide. Untold numbers still suffer from post-traumatic stress and traumatic brain injuries.

And many brave civilians in our Foreign Service and NGO and contractor communities also suffered death and injury.

Incredibly, more than 1.5 million Americans served in Iraq. It has cost the country almost \$1 trillion—considerably more when we factor in the long-term costs related to the war.

But even as we bring our military deployment in Iraq to a close, it is important to remember that two critical commitments remain.

The first is the commitment to our men and women in uniform. They have sacrificed so much for the Nation they love—sometimes everything—and we will not retreat from the sacred pledge we make to each and every servicemember to provide for their needs and for the needs of their loved ones.

As President Obama said this week:

In America, our commitment to those who fight for our freedom and our ideals doesn't end when our troops take off the uniform.

The second is the enduring political commitment that the United States continues to make to Iraq as a partner and ally and to the Iraqi people. Iraq has also paid a high price—over 10,000 Iraqi soldiers and police lost their lives in the war, and over 100,000 civilians. And Iraq still faces significant leadership and governance challenges on the path to a stable and peaceful future.

Yet, ultimately much of this future will depend on Iraqis and their political leadership. We have given them a unique—a historic—opportunity to govern themselves with tolerance, openness, and freedom.

We have done that with the precious blood and treasure of our Nation.

We hope that in the end Iraq will follow this path—that it will be an ally to the United States and a responsible democratic voice in the region.

Through Foreign Service Officers at our Embassy, USAID projects around the country, or U.S. foreign assistance—America will continue to stand with our Iraqi allies in the years ahead.

Mr. President, amid this hopeful news that the Iraq war is over, I want to also mention the 1-year anniversary of a brutal election crackdown last December 19 in Belarus.

I, Senator LIEBERMAN, and others have come to the floor a number of

times this year to talk about the tragic events of that day—the barbaric crackdown that ensued and that continues today.

Last December, after decades of misrule by Belarusian strongman Alexander Lukashenko, there was a glimmer of hope that perhaps this last dictator of Europe would ease his authoritarian regime and finally allow the Belarusian people to freely choose their own President in an honest and open election.

Tragically, those hopes were quickly dashed when Lukashenko claimed another term as President amid elections described by international monitors as seriously flawed.

Lukashenko ordered his police force—incredibly still called the KGB—to brutally suppress opposition candidates, activists, and supporters who gathered in protest on election night in Independence Square in downtown Minsk.

Most of the political opponents who ran against him, along with hundreds of their followers, were arrested. Those with suspected ties to democratic parties and groups, human rights organizations, and what remains of the independent media in Belarus were targeted by the KGB for months afterward.

I visited Belarus just weeks following the so-called elections. I met with many of the family members of the jailed activists. Their stories were heartbreaking. Missing fathers, mothers, sons, and brothers—locked away in a Belarusian jail for the crime of running for public office or peaceably protesting a rigged election.

Too often those detained were tortured and denied basic legal rights.

But that wasn't enough for Lukashenko.

Families of the detained were also harassed and Lukashenko even had the temerity to try to seize the 3-year-old son of two activists he had imprisoned on bogus charges.

Listening to these heart-wrenching stories, I couldn't believe that such Soviet-era tactics were still being used in Europe today.

Lukashenko's actions this past year have pulled the country into isolation and made it the subject of international scorn.

Our Nation has joined efforts with the European Union to toughen sanctions on Belarus, including freezing the travel and assets of Lukashenko and his enablers and henchmen.

I worked with Senators LIEBERMAN, CARDIN, MCCAIN, KIRK, and others earlier this year to introduce S. Res. 105, which passed unanimously, condemning the sham elections and calling on the Belarusian regime to release all political prisoners.

The resolution also called for new elections in Belarus that meet international standards, supported the tightening of sanctions against the Belarusian state-owned oil and petrochemical company, and urged the

International Ice Hockey Federation to suspend the 2014 Ice Hockey Championship in Minsk until all Belarusian political prisoners are released.

Let me add that former National Hockey League Hall of Famer and EU Parliamentarian Peter Stastny; chair of the House Hockey Caucus, Representative MIKE QUIGLEY; and I wrote to International Ice Hockey Federation President René Fasel urging him not to give the dictatorial Lukashenko regime the prestige afforded by the World Ice Hockey Championship while political prisoners continue to languish in his KGB prisons.

So far the federation has ignored this commonsense appeal.

Today, a year after the election crackdown, at least 60 candidates and/or activists remain imprisoned or face harsh restrictions on their freedoms, including limits on their travel, the ability to work in certain professions, and to freely participate in the political process.

For example, Presidential candidate Andrei Sannikov remains in a KGB jail. His family—which is granted only sporadic contact with him—suspects that he has been tortured and pressured to sign a letter asking for pardon.

Mikalai Statkevich, Zmitser Dashkevich, Eduard Lobau, Paval Seviarynets, and Zmitser Bandarenka—just to name a few—are also still in jail for their participation in demonstrations during and after the December elections.

I hope the Ice Hockey Federation's corporate sponsors for the Minsk championship also recognize the potential stain to their image by sponsoring this event while Lukashenko continues to imprison and torture these innocent people.

On the 1-year anniversary of the brutal crackdown we must not forget the Belarusian people and those detained who only wished to exercise their basic rights of free speech and expression. That is why I am pleased to see that just this week the Senate passed the Belarus Democracy and Human Rights Act of 2011, which I hope the House will do as well before we break for recess.

Through legislation such as this and unwavering pressure on the Lukashenko regime to open its political system, the people of the United States will continue to stand by the Belarusian people and support them in their efforts to bring justice to their country.

#### EXPIRING TAX PROVISIONS

Mr. BAUCUS. Mr. President, in only two weeks, many critical tax incentives will expire. These provisions are vitally important to many families and businesses. Once again, Congress is leaving town without taking care of business. Once again, Congress is creating uncertainty. During these tough economic times, uncertainty in the tax arena is the last thing that Americans need.

Today families are struggling because of lost jobs and high costs. Extending expiring tax incentives will help many American families get through these tough times.

For example, with the rising cost of a higher education, families need help to cover their costs. The Tax Code includes a tuition deduction to assist college students with the rising cost of tuition. In 2009, about 2.4 million families took this much needed benefit.

Also expiring is a provision that gives tax relief to the people that we trust with America's future, our children. Many teachers dedicated their lives to educating our young people. To further this endeavor, teachers take money from their own pockets to buy supplies for the classroom. Many do not get much help with these costs. The least we can do is provide a little tax relief. This bill would extend the teacher expense deduction. Over 3.8 million families took this deduction in 2009.

There are also several provisions expiring that benefit American businesses. Without the tax incentives, businesses will have less certainty and fewer tools to compete in the global arena. This will further hamper job creation and growth.

One such incentive is the research and development credit. The provision rewards companies that strive to create new and improved products and services by performing research and development. The extension of the R&D credit is essential to American businesses being competitive in the global market. The extension of the R&D credit will boost America's economy and create good-paying jobs.

There are also several provisions expiring that incentivize businesses to invest in alternative fuel sources. For example, the dollar-per-gallon credit for biodiesel and renewable diesel helps move us to a cleaner and more energy independent future.

These are just a few of the provisions that must be renewed each year. Members on both sides of the aisle worked hard to extend these and many other provisions before the end of the year. We must continue to work to get these provisions extended so that American businesses and families can continue to receive these tax incentives. We must not keep people in limbo. That is one of the very first and highest priorities we have when we come back in session in January.

I have been working with ranking member Hatch for more than a year now on broad-based, fundamental tax reform. That reform is much needed and long overdue. A bedrock principle for reform is to increase the certainty that Americans have in what their tax laws will be from year to year. So we will work hard to eliminate temporary provisions that are dependent on the whim of Congress at the end of each year for renewal. In the interim, it is time to extend these provisions.

#### MESSAGES FROM THE HOUSE

At 9:02 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 95. Joint resolution making further continuing appropriations for fiscal year 2012, and for other purposes.

At 12:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3672. An act making appropriations for disaster relief requirements for the fiscal year ending September 30, 2012, and for other purposes.

The message further announced that the House agrees to the amendment to the Senate to the bill (H.R. 1892) to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

#### ENROLLED JOINT RESOLUTION SIGNED

At 2:45 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 95. Joint resolution making further continuing appropriations for fiscal year 2012, and for other purposes.

The enrolled joint resolution was subsequently signed by the acting President pro tempore (Mr. REID).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 886. An act to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2594. An act to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3237. An act to amend the SOAR Act by clarifying the scope of coverage of the Act; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 440. An act to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

H.R. 3012. An act to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-