

### PLEDGE OF ALLEGIANCE

The Honorable ROLAND W. BURRIS 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. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 12, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

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

### RECOGNITION OF THE ACTING MAJORITY LEADER

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

### SCHEDULE

Mr. DURBIN. Mr. President, following leader remarks, the Senate will resume consideration of the conference report to accompany H.R. 3288, the consolidated appropriations bill, with the time until 9:30 a.m. equally divided and controlled between the two leaders or their designees. At 9:30 a.m., the Senate will proceed to vote on the motion to invoke cloture on the conference report. Under an agreement reached last night, the vote on adoption of the conference report will occur tomorrow, Sunday, December 13.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### DEPARTMENTS OF TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the conference report to accompany H.R. 3288, which the clerk will report.

The assistant legislative clerk read as follows:

Conference report to accompany H.R. 3288, making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the

fiscal year ending September 30, 2010, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:30 will be equally divided and controlled between the leaders or their designees.

The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, this morning I will vote no on the cloture motion to H.R. 3288. I oppose H.R. 3288 and will not be able to be present to vote no on final passage. The reason I will not be here is that tomorrow my wife and I will be celebrating our 50th wedding anniversary with our 20 kids and grandkids.

Mr. DURBIN. Mr. President, let me congratulate my colleague from Oklahoma on 50 years of marriage. Your wife must be a saint.

Mr. INHOFE. Indeed, she is.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, H.R. 3288 is a consolidated appropriations bill which contains almost all of the remaining spending bills for the fiscal year 2010. This is a process we had not anticipated. We had hoped we could take each bill individually and consider them on the floor and bring them to conclusion. Unfortunately, we ran out of time.

We had over 90 different efforts made to stop debate on the Senate floor on a variety of measures. It took us literally 4 weeks to extend unemployment benefits. This is something usually done routinely on a bipartisan basis, but unfortunately, because of delays and threats of filibusters, it took us 4 weeks to finally come to a vote to extend unemployment benefits in the midst of the worst recession the United States has experienced in over 75 years. It is unthinkable, at a time people were sending us e-mails and letters saying: I can't believe the Senate won't provide a helping hand. It isn't as if the bill itself was controversial. When it finally came to a vote, it passed 97 to nothing. There was no controversy associated with it. The controversy was manufactured on the floor of the Senate to delay consideration of such a very basic bill for 4 weeks.

Those 4 weeks could have been spent calling up these appropriations bills so we could have had what was needed—a healthy, open debate on the bills. Instead, we were forced to wait until toward the end of the session and consolidate the unpassed bills in one measure and bring it to the floor of the Senate today.

I will tell Members of the Senate who wonder if these bills have been carefully reviewed that each and every one of them passed overwhelmingly from the Appropriations Committee. There was one dissenting vote on two or three of these measures, but by and large they passed unanimously. There was little controversy in the Appropriations Committee from either side of the aisle.

The Senate Appropriations Committee, on which I am honored to serve, had been working spring and summer to pass all 12 appropriations bills. Chairman DANNY INOUE is not only a great America hero, he is a great American chairman. As the Senate Appropriations Committee chairman, this man has taken up a responsibility which few would shoulder and has done it with an extraordinary amount of talent and dedication. At his side has been Senator THAD COCHRAN, Republican of Mississippi, who works just as hard to try to make sure what we produce is a great credit to this institution and meets the needs of this great country.

There is one bill remaining after these six pass. It may be one of the most important—the Defense appropriations bill. It was passed by the committee in September and represents the only remaining bill left for us to pass this year, which we certainly want to do before we adjourn at the end of this period before Christmas.

These bills were reported out of committee with overwhelming bipartisan votes. Nine of the 12 were reported unanimously. However, when we moved these bills to the floor, we ran into these obstacles. At one point when we were considering, for example, the question of extending unemployment benefits to millions of Americans who have lost their jobs, exhausted their savings, lost their health insurance, and stand to lose their homes, there was an argument made by one Senator on the other side of the aisle that he didn't want us to call this bill until he had a chance to offer another amendment—another amendment on the ACORN organization. We have had a series of these amendments. We have flogged this group mercilessly for month after weary month. Yet they were going to hold up unemployment benefits for this Senator to have one more chance, one more swing at this organization. That, to me, is not responsible. The responsible thing to do is to recognize all of these families who were counting on us.

Time was lost that could have been used not only to provide unemployment benefits in a more expeditious manner but also to consider these appropriations bills. Appropriations bills in the past, and not too distant past, used to take 1 or 2 days before the Senate. Members would come to the floor, amendments would be offered, debated, end of story. We would have a final vote, and we would move on. Now even routine bills with no controversy take weeks because of amendments to be offered which, frankly, have little or no relevance to the nature of the bill before us.

We brought up the Commerce-Justice-Science appropriations bill on October 6. We didn't finish that bill until November 5. This is a critically important one, one for which most Members would gladly endorse its mission.