



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, TUESDAY, FEBRUARY 2, 2010

No. 15

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable AL FRANKEN, a Senator from the State of Minnesota.

### PRAYER

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

Let us pray.

Gracious Lord, we acknowledge Your ownership of all the Earth and everything and everyone in it. Thank You for the evidences of Your favor in the past and for Your hand that has made and preserved us as a nation. May the knowledge of our rights and privileges keep us conscious of our duties and obligations.

Today, guide our lawmakers with Your spirit. Keep them from stumbling as they seek to do Your will. Empower them in their work with a strength that is not their own, infusing them with serenity to meet the challenges of an agitated world. Light up the candles of their hearts and help them shine with Your peace and good will.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable AL FRANKEN 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, February 2, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. REID. Mr. President, following remarks of the leaders, the Senate will be in a period of morning business for an hour, with Senators permitted to speak for up to 10 minutes each. The first half hour will be controlled by the Democrats, the second by the Republicans.

Following morning business, the Senate will proceed to executive session to resume postcloture debate on the nomination of Patricia Smith to be Solicitor for the Department of Labor. I would note this is another one of the endless delays we have had to go through. We are in postcloture; 30 hours of doing nothing. We have had so many 30 hours of doing nothing it is hard to comprehend the wasted time—all the staff, Senators' time that could be better put to use. People could be drafting legislation, on and on, contemplating what could be done but for this endless stalling we have seen.

The Senate will recess from 12:30 to 2:15 for the weekly caucus meetings. Following disposition of the Smith nomination, whenever that might be, the Senate will proceed to vote on the nomination of Martha Johnson to be Administrator of the largest real estate organization in the world, the General Services Administration. It is difficult to comprehend, but that has

been without a leader because of what has been going on and the stalls that have taken place, so we had to file cloture.

We will notify Senators when the votes are scheduled. I would like to finish Patricia Smith at a reasonable hour today. That is immediately following a simple majority vote for her. Then there is a 60-vote margin on cloture on the future Administrator of the General Services Administration and then there is 30 hours after that.

We will do tomorrow as we did for the Republicans when they had their retreat last Wednesday; we were not in session. We don't wish to be in session tomorrow. We have the President coming to our retreat and a number of other special guests, but if we have to come in tomorrow, either before or after the retreat, we are going to have to do that to meet the burdens of this endless stalling that is taking place in the Senate.

When a young Nigerian terrorist boarded an airplane bound for America on Christmas Day, there was no permanent boss at the TSA, the agency responsible for the safety of our airports. This agency was created after 9/11 specifically to keep air travel safe. When he tried to blow up that plane, the top positions at both the intelligence agencies within the State Department and the Department of Homeland Security were empty. Why? Because Republican Senators refused to let this body hold a vote on these highly capable people the President has asked to serve in these roles.

We all know Republicans have dedicated themselves to grinding the Government to a halt. They do so openly and proudly and boast about their aversion to compromise. That is why, time and time again, they exploit the rules of the Senate and abuse this body's procedural traditions. That is why they have wasted countless hours and shattered remarkable records for stubbornness. That is why, when we

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



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