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## Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore [Mr. STEVENS].

### PRAYER

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

Let us pray.  
Eternal Lord God, who illuminates our paths with love and laughter, hallowed be Your Name. Lord, thank You for life's clouds and storms that position us to receive Your deliverance. Thank You also for refusing to move our mountains but instead giving us strength to climb them. Give us the wisdom to see spiritual things in life's commonplace happenings. May a baby's cry or a falling leaf or the gentle dew or a golden sunset whisper to us about the sacred.

Today, bless our dedicated lawmakers and each member of their staffs who routinely deliver excellence in the midst of the frenetic. May they never forget Your promise to always be with them. Guide them today with fresh insights on living abundantly. Supply all their needs, for the kingdom, the power, and the glory belong to You. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

### RECOGNITION OF THE ACTING MAJORITY LEADER

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

### SCHEDULE

Mr. MCCONNELL. Good morning, Mr. President.

The Senate will be in a period of morning business until 11 a.m. The

first half of the time will be under the control of the majority leader or his designee, and the remaining time will be under the control of the Democratic leader or his designee.

Following morning business at 11, the Senate will resume consideration of S. 1637, the JOBS bill, also known as the FSC/ETI bill. The bill managers were able to make some progress during yesterday's session by working through several amendments. As a reminder, a cloture motion was filed with respect to the FSC bill. That vote will occur tomorrow. We hope, if cloture is invoked, we can finish the bill this week. It is still possible we could consider related amendments during today's session. Therefore, rollcall votes are possible throughout the day, although we do not anticipate any vote prior to our respective policy luncheons. If there are votes, obviously Senators will be notified.

### RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The minority whip.

### VOTE ON OVERTIME

Mr. REID. Mr. President, last night there was an exchange between the distinguished Senator from Kentucky and myself, pleasant as it always is between the two of us, regarding the overtime vote that we believe is essential to moving forward on this legislation that will be before the Senate at 11 o'clock today. My friend, the senior Senator from Kentucky, said we had voted on this once before.

I wanted to make sure what the facts were. There is no question that I was right. We did vote on it once before. We voted on it in the Senate and it passed by a nice margin. It was voted on in the House and passed by a nice margin. It was on the Omnibus appropriations bill.

Magically, when it came back after the conference, it was stricken, even though it had passed both Houses of the legislature by a large margin.

The point is, having had a vote on the overtime bill should not take away the fact that it was stripped in conference with Democrats not participating in the conference. We believe that overtime is important.

On my trip home last week, I visited fire stations and police stations. The first thing they talk about is: What is happening to our overtime? People in America are concerned by the hundreds of thousands, if not millions. That is why we demand a vote on overtime.

The PRESIDENT pro tempore. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, very briefly, my good friend from Nevada and I discussed this last night and I listened carefully to what he just said. I want to make one adjustment as we get the facts before our colleagues.

On the amendment to prohibit the Labor Department from going forward with the 541 regulations, that was approved in the Senate. We voted on it earlier. It was not approved in the House. That is why it was a matter in conference.

As my good friend from Nevada pointed out, it was subsequently not agreed to in the conference. There was an additional vote in the House on a motion to instruct conferees, which came out the way my friend from Nevada suggests; but on the vote that counted, the House of Representatives did not approve the effort to block the Department of Labor from going forward with the overtime regulation.

As my friend from Nevada conceded, we have voted on this once and I am rather confident, given the persistence of Members on that side of the aisle, at some point we will probably vote on it again. But this underlying bill is a bill that is widely supported on both sides of the aisle. Sanctions have already been imposed on March 1 on American

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



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businesses. I would like to see, and I know the majority leader would like to see, and the vast majority of the Senate would like to see this bill approved so we can move on with other matters that will come before the Senate.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 11 a.m., with the majority leader in control of the first half of the time, and the Democratic leader or his designee in control of the remaining time.

Does the minority leader seek recognition?

Mr. DASCHLE. I do, Mr. President.

The PRESIDENT pro tempore. The minority leader is recognized.

#### DISTURBING PATTERN OF CONDUCT

Mr. DASCHLE. Mr. President, I want to talk this morning about a disturbing pattern of conduct by the people around President Bush. They seem to be willing to do anything for political purposes, regardless of the facts and of what is right.

I don't have the time this morning to talk in detail about all the incidents that come to mind. Larry Lindsay, for instance, seems to have been fired as the President's Economic Adviser because he spoke honestly about the costs of the Iraq war. General Shinseki seems to have become a target when he spoke honestly about the number of troops that would be needed in Iraq.

There are many others, who are less well known, who have also faced consequences for speaking out. U.S. Park Police Chief Teresa Chambers was suspended from her job when she disclosed budget problems that our Nation's parks are less safe, and Professor Elizabeth Blackburn was replaced on the Council on Bioethics because of her scientific views on stem-cell research.

Each of these examples deserves examination, but they are not my focus today. Instead, I want to talk briefly about four other incidents that are deeply troubling.

When former Treasury Secretary Paul O'Neill stepped forward to criticize the Bush administration's Iraq policy, he was immediately ridiculed by the people around the President and his credibility was attacked. Even worse, the administration launched a government investigation to see if Secretary O'Neill improperly disclosed classified documents. He was, of course, exonerated, but the message was clear: If you speak freely, there will be consequences.

Ambassador Joseph Wilson also learned that lesson. Ambassador Wilson, who by all accounts served bravely under President Bush in the early 1990s, felt a responsibility to speak out on President Bush's false State of the Union statement on Niger and uranium. When he did, the people around the President quickly retaliated. Within weeks of debunking the President's claim, Ambassador Wilson's wife was the target of a despicable act.

Her identity as a deep-cover CIA agent was revealed to Bob Novak, a syndicated columnist, and was printed in newspapers around the country. That was the first time in our history, I believe, that the identity and safety of a CIA agent was disclosed for purely political purposes. It was an unconscionable and intolerable act.

Around the same time Bush administration officials were endangering Ambassador Wilson's wife, they appear to have been threatening another Federal employee for trying to do his job. In recent weeks Richard Foster, an actuary for the Department of Health and Human Services, has revealed that he was told he would be fired if he told Congress and the American people the real costs of last year's Medicare bill.

Mr. Foster, in an e-mail he wrote on June 26 of last year, said the whole episode had been "pretty nightmarish." He wrote: "I'm no longer in grave danger of being fired, but there remains a strong likelihood that I will have to resign in protest of the withholding of important technical information from key policymakers for political purposes."

Think about those words. He would lose his job if he did his job. If he provided the information the Congress and the American people deserved and were entitled to, he would lose his job. When did this become the standard for our government? When did we become a government of intimidation?

And now, in today's newspapers, we see the latest example of how the people around the President react when faced with facts they want to avoid.

The White House's former lead counterterrorism adviser, Richard Clarke, is under fierce attack for questioning the White House's record on combating terrorism. Mr. Clarke has served in four White Houses, beginning with Ronald Reagan's administration, and earned an impeccable record for his work.

Now the White House seeks to destroy his reputation. The people around the President aren't answering his allegations; instead, they are trying to use the same tactics they used with Paul O'Neill. They are trying to ridicule Mr. Clarke and destroy his credibility, and create any diversion possible to focus attention away from his serious allegations.

The purpose of government isn't to make the President look good. It isn't to produce propaganda or misleading information. It is, instead, to do its best for the American people and to be accountable to the American people.

The people around the President don't seem to believe that. They have crossed a line—perhaps several lines—that no government ought to cross.

We shouldn't fire or demean people for telling the truth. We shouldn't reveal the names of law enforcement officials for political gain. And we shouldn't try to destroy people who are out to make our country safer.

I think the people around the President have crossed into dangerous territory. We are seeing abuses of power that cannot be tolerated.

The President needs to put a stop to it, right now. We need to get to the truth, and the President needs to help us do that.

The PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

#### THE CARE ACT

Mr. SANTORUM. Mr. President, I rise to offer a unanimous consent request having to do with the CARE Act. I noted that a week ago the Senator from South Dakota, the Democratic leader, sent a letter suggesting we should move forward on this legislation. I wanted to take him up on his suggestion. I believe, as he says in his letter, it is important for us to take a piece of legislation that passed with over 90 votes, has passed the House of Representatives, and give it the opportunity to be negotiated between the House and the Senate so we can get it to the President's desk in a timely fashion.

I want to put in the RECORD about a dozen articles, letters, and press releases from a variety of groups—everything from the United Jewish Communities, to the Catholic Health Association, to the Farm Bureau, to the National Conference of State Legislatures, all of which are asking to either put this legislation on the bill we have before us or, more preferably, get this bill to conference where we can work out the differences.

I ask unanimous consent that this information be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED JEWISH COMMUNITIES,  
Washington, DC.

CHARITABLE GIVING AND SOCIAL SERVICES  
BLOCK GRANTS

2004 PRIORITY: ENACT CHARITABLE GIVING TAX INCENTIVES AND RESTORE FUNDING FOR THE SOCIAL SERVICES BLOCK GRANT

For decades, many Jewish organizations have partnered with government to provide a wide range of social services for people in need. In 2004, UJC has made it a priority to support restoration of funding for Social Services Block Grants and tax incentives for charitable giving as a way to ensure and expand critical nonprofit services.

In 2003, both the Senate and the House of Representatives overwhelmingly passed legislation that would create new charitable giving tax incentives—specifically, IRA charitable rollovers and tax deductions for non-itemizers. Current tax law requires that