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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Almighty God, our mighty rock, You have promised to supply all our needs. Today, give our lawmakers wisdom that they may know what to do. Give them courage to accomplish Your will. Give them skill to navigate through life's inevitable challenges. Give them perseverance to not become weary in doing well. Give them strength to resist all the temptations which would lure them from Your plan. Help each of us to begin to continue and to end all things in You.

Thank You for answering our prayers, for You are our strong shield, and we place our trust in You. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU 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. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 28, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a

Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the Chair as Acting President pro tempore.

Mr. FRIST. 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. FRIST. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 MAJORITY LEADER

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

SCHEDULE

Mr. FRIST. Mr. President, this morning we will begin with a period of morning business for 60 minutes. Following that time, we will resume consideration of S. 397, the Protection of Lawful Commerce in Arms legislation. Senator KOHL has an amendment pending related to trigger locks, and there will be an hour of debate on that amendment prior to the vote. That vote should begin before noon, in the next 2½ hours. The managers will continue to work through the day to see what additional amendments are ready for votes. The cloture vote could be as early as 1 a.m. Friday morning. We haven't set the vote for that time. I mention that early hour only to highlight the fact that we have so much work to do.

We have conference reports, the gun liability bill, nominations, all of which we need to accomplish before we leave for the recess. We have the Interior ap-

propriations conference report that has the veterans health money in it that we have addressed before. We have the energy conference report, which I believe is very close; the highway conference report, which has not been filed yet but which will be hopefully later today. We have the Legislative appropriations conference report. Once we address the pending bill, we can hopefully expedite completion of all of the remaining measures prior to the August break. I will be working with the Democratic leader to schedule these important items over the next couple of days.

Mr. KENNEDY. Will the leader be good enough to yield for a question?

Mr. FRIST. I am happy to yield.

Mr. KENNEDY. Mr. President, several of us have amendments directly related to the underlying legislation. We understand the time goes to 1 o'clock this evening. I have two amendments dealing with the ability of terrorists to purchase weapons. I know both Senators from New Jersey have amendments. We are more than willing to enter into short time agreements. We want to cooperate on the conference reports, but we understand the process and the procedure that is going on is that the majority is making a judgment decision about which amendments we are going to consider and which ones we are not.

Mr. FRIST. Mr. President, in response to our distinguished colleague from Massachusetts, there have been several filed amendments. I mentioned 1 o'clock today because then we will have the whole universe of filed amendments. We are going to proceed and have a rollcall vote on the trigger lock amendment before noon today, and then we need to look at each of the amendments. Including the amendments mentioned, Senator LEVIN has an amendment, Senator LAUTENBERG, and the Senator from Massachusetts has filed two amendments. We will be looking at those amendments over the course of the day.

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



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Mr. KENNEDY. Mr. President, I thank the majority leader.

The ACTING PRESIDENT pro tempore. The leader controls the time. Does the leader yield for a question?

The Senator from Massachusetts.

Mr. KENNEDY. The only point is that, as the leader just said, we are following a procedure where the leadership is going to look at the amendments and then make their judgment as to whether the Senate will get a chance to consider these issues. I must say, that is an unusual procedure to follow, when many of us are trying to cooperate with the leadership. We are more than glad to enter into short time agreements and then to let the Senate work its will.

I thank the Chair.

RECOGNITION OF THE MINORITY LEADER

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

UNANIMOUS CONSENT REQUEST—H.R. 810 AND S. 1317

Mr. REID. Mr. President, prior to the distinguished majority leader leaving the floor, I have a short statement I would like him to listen to. Then I will propound a unanimous consent request.

Two months ago, the House of Representatives passed H.R. 810, the Stem Cell Research Enhancement Act. Two months in legislative time may not seem like a lot of time. But in the lives of people who are sick or who have loved ones who are sick, it can be an eternity. The bill that passed the House was a rare victory of bipartisanship. I sincerely hoped, after having read that it had passed, that we would embrace the same spirit of bipartisanship in the Senate and pass this legislation that offers hope to millions of Americans who suffer from deadly disease, and their families.

In May, I spoke with my friend, the distinguished majority leader, about the need to take up this crucial legislation as soon as possible. I was assured that Senator FRIST would work with Members of both sides of the aisle so that we could consider the Stem Cell Research Enhancement Act before we broke for our August recess.

The month of July, of course, is almost over. We hope to be able to complete things in the next day or two or three. But this legislation, in the lives of the people I mentioned, can't go on forever. We believe this legislation could produce and will produce stunning medical breakthroughs to some of the dread diseases that affect mankind.

What we have been asking is simple. We propose that the Senate take up two bills: the stem cell bill, which is H.R. 810, and a blood cord bill, which is S. 1317, just like the House bill. Instead, we have heard that we are going to consider six bills, and now we read seven bills. We haven't seen the language of all seven.

It doesn't have to be that complicated, I don't think. The House dealt with the issue very simply, and we should do the same.

A bipartisan majority supported the stem cell bill in the House. I believe there is a tremendous body of Senators who will also support this legislation. Every day we delay consideration of this bill is another day we deny hope to millions of Americans and people throughout the world with Parkinson's disease, Alzheimer's, spinal cord injuries, heart disease, and diabetes, to name only a few.

These patients, as I have said, don't have the luxury of time like some of us do. Let's have an up-or-down vote on these bills and send them to the President as quickly as possible—like today.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 119, H.R. 810, the stem cell research bill, that the bill be read the third time and passed, and the motion to reconsider be laid upon the table.

I further ask unanimous consent that the Senate then proceed to the consideration of Calendar No. 156, S. 1317, the cord blood and bone marrow transplant bill; that the committee substitute be agreed to; the bill, as amended, be read the third time and passed and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. FRIST. Mr. President, reserving the right to object. The issue of support for stem cell research is one that I believe deserves examination by this body. Stem cell research itself is very promising. I ran a very large multidisciplinary transplant center, and part of that was a transplant arm that transplanted literally hundreds of people with cord blood—or with bone marrow transplants, which is very similar to using cord blood, which one of the bills addresses. Passage of that bill would extend that therapy—which is with adult stem cells—with the variance of cord blood. I agree that passage of that bill would help hundreds of people by establishing registries that could be easily accessed.

H.R. 810, Calendar No. 119, the stem cell research bill—the bill the Democratic leader mentioned—is also a bill that I believe should be addressed in this body. It is a bill that has passed the House of Representatives in a bipartisan way.

In trying to address those two bills, I have extended to both sides of the aisle the opportunity to have clean up-or-down votes on those bills, as well as a fascinating new arena of research—very promising—that gives an alternative not to the Castle bill or the H.R. 810 bill, but an alternative where you don't have to destroy embryos at all, with the opportunity to develop what are called pluripotent stem cells, or embryonic-like stem cells, which also should be addressed.

Thus, my proposal has been to address the cord blood bill, H.R. 810, the

alternative new research, where embryos do not have to be destroyed; a cloning bill, Senator BROWNBACK's bill; and a bone marrow bill. I have been unsuccessful in trying to bring that to the Senate floor. There are concerns on our side of the aisle about that approach—having clean votes on these bills.

I am not going to give up on the stem cell issue because the research is hugely promising. I think, although each of us has individual thoughts about the potential of stem cells and the moral and ethical issues around stem cells, it deserves our body politic addressing the issue. So with that, I will continue to address the issue. I hope that after we come back over the recess, we will be able to address the issue.

I do object to the unanimous consent request, as we finish over the last 48 hours with our business on the floor of the Senate.

The ACTING PRESIDENT pro tempore. Objection is heard.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for 1 hour, with the first half of the time under the control of Democratic leader or his designee, and the second half of the time under the control of the majority leader or his designee.

The Senator from Massachusetts is recognized.

STEM CELL LEGISLATION

Mr. KENNEDY. Mr. President, before leaving the floor, if I can have the attention of our minority leader. Is it the understanding of the leader in propounding this request that the measures proposed in the request had bipartisan support in the House of Representatives, and he believes as I believe—and I see my colleague, the Senator from Iowa, who is a great leader on this, who believes as well—that there is very strong bipartisan support for the legislation, and we could, in a reasonable period of time—really in a matter of hours—pass the legislation and still not exclude the possibility of continued debate and discussion on the other measures relating to stem cells; and that this would permit us to act before August 9, which would be the fourth year since we had the limitation and restriction on stem cell research, the kind of research that 80 Nobel laureates in a letter to President said offers the greatest opportunity for progress in the areas of Parkinson's disease, juvenile diabetes, cancer, and