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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Reverend Francis H. Wade, of St. Alban's Parish in Washington, DC.

The guest Chaplain offered the following prayer:

Let us bow our heads before the Lord. Our God and King, You have taught us that those to whom much is given much is required. Open our minds to an awareness of the riches of this good land—its material wealth, its moral heritage, its legacies of courage and generosity. Open our eyes to the treasure that is the people of this land, their hopes and fears, their homes and families, their histories and potential. Open our hearts to the intangibles of justice and peace, dignity and joy, trust and forbearance.

Bless this Senate and all who bear the responsibility of governance with the lively sense of stewardship and accountability so that what You have made precious in this Nation will flourish and be Your resource for the fullness of life for all people of every land. 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.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the 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 for up to 30 minutes, with the first half of the time under the control of the majority leader or his designee, and the second half of the time under the control of the Democratic leader or his designee.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today we will start with a 30-minute period of morning business. Therefore, shortly after 10 a.m., we will return to the consideration of the supplemental appropriations bill. We now have approximately 13 amendments pending. One of those has been divided into 18 divisions; therefore, that amendment could require up to 18 votes before we dispose of it.

Needless to say, we will have rollcall votes throughout the day as we work our way through these amendments. At this point, there appears to be an unending flow of amendments and we will gauge our progress at the end of business today. I want Members to have the opportunity to offer amendments, but at some point it may be necessary to file a cloture motion to ensure that we finish this emergency supplemental sometime next week.

In the meantime, I encourage Senators to work with the managers to schedule their amendments, and perhaps there will be an opportunity for some of the votes to be accepted without the need for floor debate or a vote.

I will have a brief statement on another issue, unless the Democratic leader wants to comment on the schedule. We are going to have a busy day. I ask our colleagues to be cooperative. This is a supplemental emergency bill and we need to proceed efficiently—with patience but efficiently.

I wish to comment on another very important issue. We have so many things going on today and over the course of the week, with a focus on energy, with a lot of work being done not on the floor but in committees and in working groups and task forces to address the skyrocketing prices of gasoline. We have a pensions conference report on the way, and a tax increase prevention act conference report is underway.

JUDICIAL NOMINATIONS

Mr. FRIST. Mr. President, there is another issue we have made slow progress on recently that we need to accelerate and that is the judicial nomination process. Throughout my time as leader, I have done my very best to stand on the principle of having fair up-or-down votes for each of the judicial nominees. I believe it is our responsibility, our constitutional duty, grounded in the advice and consent clause of section 2 of the Constitution, and it is reinforced by over 200 years of Senate history; it is a duty we have in the Senate. I compliment the body on the two Justices who were confirmed—a Chief Justice, an associate Justice, and all the district court judges who were confirmed. In the coming weeks, we need to continue building on this progress, as with all the rest of the issues coming before us. We will confirm new nominees to fill vacancies on the Federal bench.

As we all know, we need our courts to have judges who are well-qualified, mainstream judges, who demonstrate the highest integrity, and who will practice judicial restraint and will respect the rule of law and the Constitution.

After consulting with Chairman SPECTER, Senator MCCONNELL, and many of my colleagues, I am pleased to announce that in the coming weeks we will move forward on the nomination of Brett Kavanaugh to the DC Circuit

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



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Court of Appeals. I will make every effort to see that he gets a vote before the Memorial Day recess.

President Bush nominated Mr. Kavanaugh on July 25, 2003, 3 years ago. He has been waiting for that up-or-down vote on the floor of the Senate since that time. That is almost 3 years ago. That is a long enough time for us to bring that nomination forward to the floor and to act on that nomination. He is a graduate of Yale College and Yale Law School, and he is also a former Supreme Court clerk. He has sterling credentials. Most of us have studied his record.

Mr. Kavanaugh has a broad range of experience as a prosecutor, as a lawyer in private practice, and as a trusted counsel and adviser to President Bush.

Throughout his entire career, Brett Kavanaugh has demonstrated the fair-minded temperament and intellectual prowess that is needed to serve as a Federal appellate judge.

There will be a lot more to say about him in the coming weeks. We will talk about that nomination. For now, I urge my colleagues to refocus on the nomination process and make sure it will work fairly. I want to be able to approach the process and dignify it in a civil way, rejecting the obstruction and personal attacks that have arisen on the floor in times past. Let's embrace the principle of a fair up-or-down vote. It is right to do for the nominees—to treat them in a dignified way—and for the American people, who depend on fairminded judges to resolve disputes and interpret our laws.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

JUDICIAL NOMINATIONS

Mr. REID. The distinguished majority leader is right, we confirmed two Supreme Court Justices. I think they were dignified debates. I think the committee did a good job in preparing the Senate for those two Supreme Court nominations. We have also approved 29 lower court nominations. All nominees have been considered by the full Senate in this Congress and have been confirmed. The minority recognizes what rights we have. We will continue to recognize what those rights are, and certainly we have not abused any of those rights. We don't intend to. We will perform our constitutional role.

I say to the majority leader he is right, Mr. Kavanaugh had a hearing, but that was more than 2 years ago. I think one of the things that should be considered is whether the Judiciary Committee should update that. There have been a lot of things going on dealing with the situation in Iraq in which he was involved. That is a subject for discussion at a later time.

SUPPLEMENTAL APPROPRIATIONS

We look forward to the supplemental appropriations bill being finished. We have a lot of amendments. At this stage, we have had very few quorum calls. I am somewhat disappointed that we have this situation before us today. I believe the committee did some very good work—the Appropriations Committee—in bringing this matter to the floor. I wish we had a vote. I think when it is all over, that is what it will wind up being, anyway. I hope Senator COBURN, for whom I have the greatest respect, when he sees the first few votes, will get the idea how things are moving along and maybe we won't have to have all those votes.

As I understand it, at this time, there are about 30 votes in order at this stage. We have to dispose of those. There are people over here on this side waiting to offer amendments, none of which are dilatory in nature and all of which are dealing with the situation in Iraq, our military generally, with veterans. We have amendments that people wish to offer dealing with the energy situation we find in America.

So I hope today we can figure out a way to get through this situation. I appreciate very much the majority leader recognizing, as he has for the last few weeks, that we have an event over the weekend, a retreat in Philadelphia. We understand that.

The point I am making is that on this side we understand the importance of this bill. We wish it had not been part of an emergency appropriation in the original budget. We have to play the cards we are dealt. We will do everything we can to move this forward in what we believe is a dignified manner.

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

Mr. WARNER. Mr. President, I ask if I might have the privilege of introducing the visiting pastor who gave the morning prayer before the Senator from Oklahoma speaks.

Mr. INHOFE. Mr. President, I have no objection if the majority is going to have the first half of the 15 minutes immediately following the Senator's introduction.

REVEREND FRANCIS H. WADE

Mr. WARNER. Mr. President, it is a wonderful privilege for me to introduce to our colleagues Rev. Frank Wade, who most recently is the rector at St. Alban's Church. I want to say upfront that this great pastor married me and my wife Jeanne some 2 years ago. It was a real experience. It was so magnificent in that we counseled with him—even though both of us are well into adulthood—and received his guidance for some weeks prior to that beautiful ceremony, which was held in the Washington Cathedral. That is a site—St. Alban's and the Washington Cathedral—where I have spent so much of my life. Preceding Dr. Wade was my uncle, Charles Tinsley Warner, rector

of St. Alban's Church for almost 40 years, from the late 1920s and 1930s all through World War II.

Our colleagues might recall that one of our dearest Members of the Senate, the former Senator from Missouri, Mr. Danforth, was an ordained Episcopal minister and he also preached occasionally at St. Alban's Church. Dr. Wade went to the Citadel, and from there he went to the Virginia Episcopal Seminary, where my uncle also graduated. For 17 years, he tended to the ministry of those in the great State of West Virginia. What a privilege for Dr. Wade and me this morning to have a few moments with our highly esteemed colleague, the senior Senator from West Virginia, Mr. BYRD.

I thank my colleagues and I thank Senator LAUTENBERG and Mr. Maxwell of his staff, who worked to make this memorable occasion for so many possible today.

I yield the floor.

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

ENERGY POLICY

Mr. INHOFE. Mr. President, it is my understanding we have 15 minutes equally divided. I ask the Chair, after 6 minutes has elapsed, to advise me.

First, let me say there is nothing new to the problem we have had in this country by not having an energy policy. I can remember when Don Hodel was Secretary of Energy and later Secretary of the Interior. We had a dog-and-pony show where we went around the country during the Reagan administration and tried to talk about how serious this was—the fact that our dependence upon foreign countries, or our ability to fight a war, was not an energy problem, it was a national security problem.

We found the message didn't sell. I was critical of the Reagan administration. Later on, when the first Bush administration came along, I thought, surely, out of the oil patch he would want to have an energy policy, but he didn't either. And during the Clinton administration, he did not. When the second George Bush came into office, the first thing he did was say we are going to have an energy policy. Keep in mind that our dependency at that time, when I was active around the country with Don Hodel, was 36 to 37 percent. Now we are up to twice that. It is much worse now than it was before.

We are in the middle of our second gulf war and people should realize what a threat this is. I chair the Environment and Public Works Committee, which has most of the jurisdiction over many energy issues, and certainly the air issues. I remember making every effort to get drilling on ANWR. The distinguished President pro tempore has spent his life trying to get production in the northern part of his State. It is something that would resolve the problem.