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## Senate

The Senate met at 12:01 p.m., and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania.

### PRAYER

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

Let us pray.

O God of us all, who is above all, yet in us all, make us ever sensitive to all the expressions of Your grace. Thank You for the glory of a sunrise and sunset, for the refreshment of the breezes that invigorate, and for the technicolor in trees, shrubs, sky, and sea. May the challenges of our times never blind us to life's wonders.

As we reconvene after our August recess, prepare our lawmakers for today's journey. May they strive to stay within the circle of Your will, as You guide their steps. Help them to be ready to solve problems, receiving inspiration from the creative power of Your love. Let business be done on Capitol Hill that will address itself to the real issues and not to games. May the work of our Senators become an expression of Your truth, righteousness, and justice.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable ROBERT P. CASEY, Jr., 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 clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 4, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### RECOGNITION OF THE MAJORITY LEADER

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

### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the period for morning business extend for 60 minutes, equally divided and controlled between the two leaders or their designees, with Senators permitted to speak during that period of time, with the majority controlling the first 30 minutes and the majority time being equally divided between Senators BROWN and BAUCUS, and that the Republicans control the final 30 minutes; that the Senate proceed then to the Military Construction appropriations bill; further, that with respect to the debate time on the Nussle nomination, the time for the Chair and ranking member be equally divided and controlled between the chairs and ranking members of the Budget and Homeland Security Committees, with Senator SANDERS retaining the hour previously provided him, with all other provisions of the previous order governing the Nussle nomination remaining in effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that a speech I am going to give not be counted against leader time. That will give the morning business the full hour requested.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### SCHEDULE

Mr. REID. Mr. President, under the order that was entered, the Senate will conduct a period for morning business for 60 minutes, with the time controlled between the two sides as I read. Following this period for morning business, the Senate will proceed to the Military Construction and VA appropriations bill. This is a very critical, important message for our military and for our veterans. I hope we can consider this bill in a very expeditious manner.

At approximately 2:30 this afternoon, the Senate will proceed to executive session and consider the Nussle nomination for a period of 3 hours. The chairs and ranking members of the Budget and Homeland Security Committees will each be recognized as indicated in the matter I just read before the Senate. There will be 30 minutes, as indicated, on each side, with Senator SANDERS controlling 1 hour. A vote on the nomination is expected to occur about 5:30 this afternoon.

I spoke with the distinguished Republican leader this morning and indicated what we were going to accomplish before we leave for the Jewish holiday, which is 1 week from this Wednesday—1 week from tomorrow.

We are going to take up and complete the Nussle nomination this afternoon. Prior to that being completed, Senators JACK REED and KAY BAILEY HUTCHISON, who are the managers of the appropriations bill that will come

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



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before the Senate, will manage that bill. It is an extremely important piece of legislation. We are going to do our very best to complete that bill and then move to Foreign Operations. I don't know how anyone can object to the foreign operations matter because it is hundreds of millions of dollars under what the President requested. It is something that is extremely important. The President feels very strongly about this legislation, and we should move forward on it.

Following that legislation, we are going to move to the reconciliation matter which deals with education. I told my friend, the senior Senator from Kentucky, that we may have to work this weekend, or part of this weekend, the reason being, as I mentioned, we have two appropriations bills, and they should move quickly. We have a statutory time on the reconciliation matter dealing with education.

Next week, everyone should understand we are going to have votes Monday morning—Monday morning. It is a very short week, and we are going to take up next week the Transportation appropriations bill. In light of all the attention focused on the deteriorating infrastructure of this country, that is a very important piece of legislation, and we need to complete it.

The Jewish holiday starts sundown on Wednesday. It was originally my intent to work until sundown on Wednesday, but a number of my Jewish colleagues indicated they have to travel. Especially Senator LIEBERMAN needs to be in Connecticut prior to sundown. So we are going to complete our voting on Wednesday by 1 o'clock. We will work past that time on matters perhaps, if we can complete the Transportation appropriations bill by that time, but we are going to stop voting around 1 o'clock on Wednesday.

Then, of course, we have other business to do. After that, we have to move to the matter dealing with Iraq. We have Defense authorization. I have spoken with my friend, the Republican leader, about different ways we could set up moving forward on that legislation. We don't have anything determined yet, but we are trying to do that. My wish and my desire is to move forward and have a number of votes set up so there are 50-vote margins. We will not ask for that now. I will give the distinguished Republican leader adequate time so we can have a UC dealing with that matter.

I will, during the course of the speech I am going to give today in a few minutes, Mr. President, ask unanimous consent that we can go to conference on SCHIP. I hope we can do that. I have again spoken with the Republican leader about that matter.

Before I get into my remarks, I ask through the Chair if my friend has anything he needs to know or maybe questions I can answer regarding the schedule.

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. McCONNELL. Mr. President, I appreciate the majority leader's call this morning. He basically covered the items he has gone over. We will be cooperating, to the maximum extent possible, to move forward with the work in the Senate. I, such as he, will have an opening statement as we begin this session shortly after the majority leader completes his statement.

#### TRIBUTE TO SENATOR JOHN WARNER

Mr. REID. Mr. President, I begin my remarks on this fall calendar in a position of wanting to get a lot of business done. But first I wish to make a few remarks about two of our most distinguished colleagues, Senator WARNER of Virginia and Senator KENNEDY of Massachusetts.

A few days ago, Senator WARNER announced he will not seek reelection when his term ends, which is in 2008. JOHN WARNER's career in public service began when he was 17 years of age when he enlisted in the U.S. Navy during World War II. He did not have to enlist. His father was a distinguished physician in Virginia. He did it because it was the right thing to do.

After an honorable discharge, he, again feeling the call of duty, interrupted his law school studies to join the Marine Corps during the Korean war. Keep in mind, both times, when he joined the Navy and then the Marines, we were at war. During the Korean war, he rose to the rank of captain.

JOHN WARNER is a patriot. If you look up "patriot" and "patriotism" in the dictionary, it says one who loves his country and supports its interests. That is JOHN WARNER by definition.

When JOHN WARNER returned home after the Korean war, he was appointed Under Secretary of the Navy and later became Secretary of the Navy before beginning his five terms in the Senate.

His work on the Armed Services Committee is certainly legend. His ability to work with Senator LEVIN has been something I have watched and admired and many times complimented both of them for—their ability to work together, many times on issues that were very difficult to work together on. They always worked together, always looked out for each other.

In addition to the work he did on the Armed Services Committee, I watched firsthand his brilliant work on the Intelligence Committee but very firsthand his work on the Environment and Public Works Committee. From the time I came to the Senate, I worked with JOHN WARNER on that committee. I was chairman of that committee on two separate occasions. During the period of time I worked with Senator WARNER, I was in the majority, and other times he was in the majority. To JOHN WARNER, it didn't matter.

I can remember the first big Transportation bill we did. We did one every 5 years. What a great example he set for everybody as one of the senior

members of that committee. He worked with conservatives, he worked with liberals, he worked with Democrats, and he worked with Republicans.

To show his ability to do the right thing, one needs look no further than his own State of Virginia. There was a hotly contested race for the Senate for the State of Virginia. JOHN WARNER supported the Democratic candidate rather than the Republican candidate. That is the kind of person he is.

I have such great admiration for JOHN WARNER. He is, in my opinion, what a public servant should be. He is a gentleman and has served the people of Virginia and our Nation with distinction for 30 years or more. Senator WARNER's impact on this institution will not be forgotten. I will sorely miss his warmth and friendship. My wife Landra and his wife Jeanne are friends. They have been working together. Every year the Senate spouses have a First Lady's luncheon. Two years ago, my wife was chairperson of that. Last year, she was. They are good friends and we will miss them a lot. They are a wonderful couple. I have to say JOHN WARNER is top of the line. I have so much admiration for him.

#### SENATOR KENNEDY'S 15,000TH VOTE

Mr. REID. I also want to say a few words about another one of the Senate's most distinguished and legendary Senators, and that is TED KENNEDY. The last day of our session was extremely frantic. We were trying to do certain things. Well, we had a lot we were trying to get finished, not the least of which was the domestic spying measure, which was so intense. So we had a lot of votes during that week, and that day we had votes, but in the rush to close the session a milestone occurred that went unremarked and it should not have. But that is the way things are here in the Senate sometimes. Senator KENNEDY cast his 15,000th vote—15,000 votes. He cast his 15,000th rollcall vote the day we adjourned for summer vacation.

There is very little I can say to fully honor Senator KENNEDY for his 45 years of Senate service. He has been someone whom I have followed so very long. And to think that I have the opportunity to serve with one of the Kennedys is very important to me. My office, right across the hall here, has a letter I received in 1961. Senator KENNEDY had not been inaugurated as yet, but he had been elected and he was working from where we have our Tuesday luncheons, the LBJ Room. That was his office before he became President. He sent me a letter. I was at Utah State University and I formed the first Young Democrats Club in the history of the State. It might not sound like much, but to me it was important at the time and President Kennedy recognized that by writing me a letter.

I am so grateful for the service of the Kennedys and what they have done for