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Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the State of Virginia.

PRAYER

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

Let us pray.

Lord God, ruler of the nations, we magnify Your Name above all names. Your absolute purity, holiness, and justice illuminate our paths. Your fairness is intertwined with everything You do.

Lord, hasten the day when the Government shall be on Your shoulders and Your kingdom will be established with righteousness and justice. Bring an end to injustice, sin, corruption, violence, and immorality. Use the Members of this body to do Your will on Earth, even as it is done in Heaven. Help them to strive for integrity and faithfulness, for the glory of Your Name. May they persevere in doing what is best for America and our world, knowing You will give them a bountiful harvest.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB 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 bill clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, September 17, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the State of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB 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, the Senate will be in a period of morning business until 3 p.m. today, with the time equally divided between the two sides.

At 3 p.m. the Senate will resume consideration of H.R. 1585, the Department of Defense authorization measure. There will be no rollcall votes today, which we announced several weeks ago. The managers, though, will be here to deal with the authorization bill at 3 o'clock. Members are encouraged to come to the floor and offer and debate amendments to this bill.

As we all know, this bill is important, to say the least, and there are numerous issues associated with this bill that will require debate. Of course, the issue of Iraq is a matter that has been discussed at some length. I indicated previously I hope we can work out an agreement on how we can proceed as it relates to the Iraq amendments. There are more than 300 Iraq amendments on this bill. We need to proceed in some orderly and structured manner. I will continue to consult with the Republican leader and the two managers on this legislation.

ORDER OF PROCEDURE

Mr. REID. I ask unanimous consent that whatever time I consume now not be counted against the time set for the bill to begin. So if I take 5 minutes or 10 minutes, whatever it is, the 3 o'clock time would slip by that much.

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

THE WEEK AHEAD

Mr. REID. Mr. President, on this day 220 years ago, in 1787, our Founding Fathers gathered at Philadelphia and signed a document that remains today our country's moral compass, our Constitution. The preamble to that Constitution reads:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

No matter how many times we hear that preamble, it touches a chord in all of our hearts because that is what this country is all about.

The years since that day in Philadelphia, 220 years ago, have not been a perfect journey. In fact, it has been imperfect on some occasions—but more perfect than none. There are times where we have stumbled—we can all think of examples of that: slavery, the Civil War, the internment of Japanese Americans during World War II. But each time our fidelity to the ideals of justice has been tested, America has moved closer to securing the blessings of liberty.

Over the past 6½ years, the Bush administration has challenged that fidelity time and time again. We have suffered through a White House that values secrecy and disdains the separation of powers. The Justice Department served the President rather than the

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



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people. The pervasive attitude among the administration was that civil liberties are a nuisance rather than an inalienable right.

I spoke to the President's nominee to be Attorney General a short time ago, Judge Mukasey. I told him I admire his willingness to take this job. He has a good background, a good record. We will find out what happens during the time the hearings take place before the Judiciary Committee. But I told him that never in the history of our country have we had a Justice Department in such a state of disrepair, and he realizes that.

But as we turn to the Defense authorization bill this week and likely the next, we in Congress have an opportunity to reassert our allegiance to the Constitution and the core American values for which it stands, values that have made America the world's beacon of freedom for more than two centuries.

Senators will have a chance to show whether they support the inalienable right of habeas corpus, something that is talked about in our Constitution—the right to petition a court to review the grounds for a detention. Senators will have an opportunity to review the cost, both fiscally and morally, in maintaining the Guantanamo Bay detention facility, and whether closing it will do more to further the fight against terrorism and advance America's values, as I believe it would, than keeping it open indefinitely. We hope to debate the administration's use of so-called enhanced interrogation techniques and whether we should bring the practices of intelligence agencies under the same rules that our military believes are proper under the Army Field Manual; in effect, no more torture.

The Defense authorization bill is also our next best chance to continue our efforts to force President Bush to change course in an intractable civil war in which we find ourselves involved in Iraq. Last week the President delivered yet another prime-time address to the Nation on his Iraq policy and once again he announced he has no intention to change his failed war plan. He has given neither a convincing rationale to continue the war nor a plan to end it. Meanwhile, brave American troops continue to be killed and grievously wounded, our Treasury is being depleted at an ever faster rate, the Iraqi Government has made no progress in political reconciliation, and those responsible for attacking us on 9/11 grow stronger, as indicated in the latest video from Osama bin Laden. Today brings news that the President will not even return our troop presence in Iraq to presurge levels next year, meaning that a year from now we will be dug in even deeper than we were a year ago in Iraq.

The President's speech last week made one thing clear, though: He has no intention of changing course. He plans to keep the status quo through the duration of his administration with

the hope that if we stick around long enough, something, anything, will start going right; and if it doesn't—and there is no sign it will—he will leave it to the next President to clean things up.

We could start to change course now. The overwhelming majority of the American people and the majority of Congress are ready to do just that. A majority of Senators has voted to send legislation to the President that will force him to change the mission and begin to bring our troops home, but the Republican leadership so far has not allowed the voice of the majority to be heard. By requiring a 60-vote margin on all Iraq-related votes, they have repeatedly filibustered the will of the people and blocked the new direction our troops deserve. As long as our brave soldiers and marines remain mired in the crossfire of another country's civil war, we can continue fighting to responsibly end this war. We all know it will take the courage of our Republican colleagues to stand up to the President. A few have, and I admire and respect them. We know standing up to their President is not easy, but it is the right thing to do. It is long past time for those Republicans who expressed opposition to this endless war to work with us to find a way to end it; otherwise, this is not only Bush's war but the war of the Republican Senators as well, because we all know there has been little support in the House or the Senate by Republicans to change the direction of the war in Iraq.

Next week we will turn our attention back to the Children's Health Insurance Program, known as SCHIP. This remarkably successful program was enacted a decade ago to fill a crucial gap in insurance, the gap between the children of families who often have private health insurance and the children of the very low-income families who are covered by Medicaid. But between the two, millions of children whose families neither qualify for Medicaid nor can afford private insurance were left uninsured—left without medical attention most of the time. Today 6.6 million children have insurance because of this program started 10 years ago. That is a 35-percent reduction in the number of uninsured children of working families. The program has been a remarkable success by any means, and a great example of what the State and Federal Government can do in a tangible way to make peoples' lives better.

Earlier this summer, an overwhelming bipartisan majority in the Senate voted to reauthorize and approve this outstanding program. Next week we will vote on a compromise version between the House and Senate and send it to the President's desk. The bill we send to the President will continue the program and provide insurance for millions more children of working families. For many, it will replace emergency room care with regular checkups; it will mean proper dental care; it will mean preventive medicine.

Study after study shows that kids enrolled in the Children's Health Insurance Program are much more likely to have regular doctor and dental care. The report shows that these children report lower rates of unmet need for care, the quality of care they receive is far better than it was before, and school performance improves. The plan is helping to close a disparity in care for minority children and it has become a major source of care for rural children.

There is no doubt, no question at all, that the Children's Health Insurance Program is good for children, good for families, and it is certainly good for our country. This bill will be the product of real bipartisan cooperation.

I appreciate very much the work of Chairman BAUCUS and Ranking Member GRASSLEY of the Finance Committee, and the work of Senators ROCKEFELLER and HATCH. They have done the right thing for this country.

The President, though, has threatened to veto this legislation. This is pretty surprising because listen to what he said in the 2004 election campaign, a direct quote:

In a new term, we will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for the government health insurance programs. We will not allow a lack of attention, or information, to stand between these children and the health care they need.

I take the President at his word and expect he will live up to this promise. I hope before issuing more threats, he will take a real look at what he said before, and the legislation we are sending to him. It has the support of so many Democrats and so many Republicans for a reason. It is an example of Government at its best, lending a helping hand, providing a safety net to children who need a boost to reach their full potential. All too often we hear what Government can't do. The Children's Health Insurance Program is a stellar example of what we can do. I am confident the Senate will not be intimidated by the President's veto threats, especially, I repeat, based on what he told us during the reelection campaign of 2004. For the President to do anything less would be his not keeping his word. So I hope once again we will vote to pass this legislation with strong bipartisan support.

I ask my unanimous consent request also include any statement my friend, the Republican leader, may give.

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

RECOGNITION OF THE MINORITY LEADER

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

NOMINATION OF JUDGE MUKASEY

Mr. McCONNELL. Mr. President, today the President nominated Judge