



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, TUESDAY, OCTOBER 2, 2007

No. 148

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

### PRAYER

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

Let us pray.

Almighty God, make us instruments of Your love. Use our Senators today as ambassadors of reconciliation. Direct them in their work, and surround them with Your gracious favor. Let all their plans and purposes be in accordance with Your holy will. May their primary aim be to serve You and country with faithfulness. Enlighten them by Your holy spirit so they will find solutions to the problems that challenge our world.

Lord, make them good stewards of their calling, guiding them to use their influence for Your glory. Inspire their minds, assist their wills, and strengthen their hands that they may not falter or fail. And when this day's work is done, give them refreshment of mind, spirit, and body.

We pray in Your gracious Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 2, 2007.

To the Senate:

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

ROBERT C. BYRD,  
President pro tempore.

Mr. TESTER 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, today each side will have a half hour in morning business. The Republicans have the first half, the Democrats the final half. Following that, the Senate will begin consideration of one of the most important bills we do here every year; that is, the Defense appropriations bill. That will be led by Senators INOUE and STEVENS. The Senate will recess today from 12:30 to 2:15 for the regularly scheduled party conference meetings. We want to finish this bill as quickly as possible and move to Commerce-State-Justice, which is also important, dealing with law enforcement. We also have some judges we would like to get rid of this week, if at all possible. We have a circuit court judge and a number of district court judges. We need to finish these items this week so that we can come back and start the Labor-HHS appropriations bill, which is extremely important. If we finish these two bills, we would have half of them done this year, which is good.

We have received tremendous cooperation from both sides to move through the bills. I hope we can continue to get that cooperation on this

bill. I am confident there will be some amendments offered. Some of them will have points of order against them because of too much money and they are legislating on appropriations bills. Maybe those Senators won't offer them if they check with the Parliamentarian first. But we hope we can move through this bill very quickly.

Mr. McCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. 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 MINORITY LEADER

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

### BURMA

Mr. McCONNELL. Mr. President, the British statesman Edmund Burke once wrote: "When bad men combine, the good must associate." Such vivid moral clarity is nowhere better reflected than in the recent events involving Burma.

In Burma, we have indeed witnessed the combination of bad men—a combination of corrupt military junta leaders and compliant thugs in the Burmese security forces.

This combination recently carried out the brutal suppression of peaceful protests in Burma, killing and imprisoning untold numbers of nonviolent demonstrators, including scores of Buddhist monks.

What is now needed is for the good to associate.

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



Printed on recycled paper.

S12389

The global struggle against terrorism has compelled us to increase our foreign policy engagement in places such as the Horn of Africa, Indonesia, and the Philippines.

In the coming decades, we must realize that China and India are two countries that will play a larger role on the world stage.

One would have hoped that as India takes on a greater role as a regional power, and as a growing economic power, that pro-democracy elements within Burma could look to associate with its next-door neighbor, the largest democracy on the planet.

Our Nation is pursuing a closer relationship with India in terms of military-to-military contacts and in the development of nuclear energy. India should be wary of coddling the junta in Burma.

The Association of Southeast Asian Nations, ASEAN, recently put out a strong statement condemning the brutality in Burma. Instead of echoing the sentiments of Burma's ASEAN neighbors, the Indian Government has only issued tepid statements at best.

In so doing, India has put itself in league with China and Russia.

This is all the more troubling since India had been supportive of Burmese reformers in the early 1990s.

As India assumes a greater role on the world stage, more will be asked of it, and this is just such a case. India needs to recognize that responsibility and abstain from supporting the military junta in Burma.

India needs to use its influence as Asia's longest-lived democracy to associate with the pro-democracy forces of Burma and press for reforms.

Understandably, India has important interests in its neighbor to the east. For one, India wants to counter the influence of China in Burma. That said, it should look beyond its near-term interests.

What better way to blunt Chinese influence in Burma than to work to bring about a Burma that reflects the Indian values of democracy and openness, rather than a Burma that reflects the antidemocratic values of the Chinese Government?

Mr. President, I strongly urge the Indian Government to reconsider its position on Burma; to speak directly to the regime's recent actions; and to work for the cause of democracy and reconciliation in Burma.

Only then can the combination of bad men leading Burma be checked.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. 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.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the 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 60 minutes, with Senators permitted to speak therein for 10 minutes each and with the time equally divided between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

#### PASSING APPROPRIATIONS BILLS

Mr. CORNYN. Mr. President, yesterday marked the beginning of a new fiscal year, when all of our projected spending for the next year ought to have been budgeted and allocated to the appropriate programs and Federal agencies. Unfortunately, we have yet to see a single appropriations bill be sent to the President. Four appropriations bills that have been passed are still in conference: the Homeland Security appropriations bill, the Military Construction and Veterans' Affairs appropriations bill, the State and Foreign Operations appropriations bill, and the Transportation, Housing, and Urban Development appropriations bill. But those are stuck in conference and none have been sent to the President for his signature.

What is worse, the remaining eight were never even brought to the floor for consideration by the Senate majority leadership before the end of 2007. One, of course, will be taken up this week—the Defense appropriations bill.

Any business leader or small business owner in America can tell you that entering the fiscal year without an approved budget plan is disastrous policy. But in Washington, we have grown to accept that the Federal Government can basically hold the American taxpayer to a double standard: Do what we say and not as we do. In Washington, we have come to accept that we don't have to budget or pay our bills on time to keep the lights on. Instead, we can pass a law saying it is OK—which we did last week, a continuing resolution, which keeps Government basically on autopilot until November 16 and, as I said, that is a double standard the rest of America is not allowed to meet. Only Congress, only Washington, can do that.

This mentality of fiscal irresponsibility is a disturbing trend. Americans rightly expect us to keep the country running, but to keep it running efficiently and keep it running well, and to be good stewards of the taxpayers' dollars. We can't do that when we legislate on borrowed time and fail to pass any appropriations bills by the end of the fiscal year. Zero

for twelve is a dismal average, even for the Senate.

Despite harsh criticisms for failing to pass all appropriations bills last year, the new majority has failed to pass a single appropriations bill when given the chance this year. Passing appropriations bills is "the most fundamental job Congress is expected to do." That is a quote from our colleague, majority whip DICK DURBIN, December 2006 in the New York Times.

Senator HARRY REID, the current majority leader, said in May of 2007: "The 'Do-Nothing' Republican Congress failed to pass the appropriations bills."

Now we find that notwithstanding their promise of new leadership and change, that situation bears all too similar a comparison to what they complained about last year.

But the lack of urgency in passing these bills is only a part of the problem. My colleagues in the majority have used a few appropriations bills that have been brought forward as a vehicle for their political agenda, and increased spending on expanded social programs and pet projects.

As we debated the Defense authorization bill week after week, the majority party delayed the bill's approval by trying to add and, in fact, successfully adding, in some instances, unrelated amendments—amendments dealing with Federal hate crimes legislation, and immigration was even considered during the debate. Ultimately, these tactics wasted valuable time and delayed essential resources our military is counting on.

As each minute, each day, and each week passes by, we come closer and closer to what is known as an omnibus appropriations bill. For those outside the Washington bubble, let me say that "omnibus" is sometimes translated as "grab your wallet." An omnibus appropriations bill tends to be loaded down with a lot of excess spending and unrelated pork.

If the appropriations bills we have debated thus far are any measure, we are in for major trouble. The spending proposals—an extra \$205 billion on top of the President's budget request over the next 5 years—will force American taxpayers to send even more of their hard-earned pay to the Federal Government. We should instead be working to return their hard-earned money to the American people, or rather allow them to keep it in the first place as much as possible.

Now that we have already missed our own deadline for appropriations, it is time we get serious about these spending bills. I encourage all of my colleagues to join me and vote to pass timely and responsible appropriations bills and reverse this trend of fiscal apathy.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.