

underlying bill. I appreciate the wise direction that this body has decided upon with regard to the minimum wage. We have correctly concluded that raising the minimum wage without providing relief for the small businesses that must pay for that increase is simply not an option. I hope this is an approach that our colleagues in the House will not derail. This approach recognizes that small businesses have been the steady engine of our growing economy and they have been the source of new job creation. It, also, recognizes that small businesses in every sense of the phrase are middle class families too.

I am proud the body has chosen a path which attempts to preserve this segment of the economy which employs so many working men and women and trains them. The Senate has recognized the simple fact that a raise in the minimum wage is of no benefit to a worker without a job or a job seeker without a prospect.

As this Congress moves forward, we will need to confront a range of issues facing working families. Lessons in this debate should not be forgotten as we approach complex issues. Yesterday, we were referencing the so-called war on the middle class. That is partisan rhetoric which was never accurate and is now simply divisive. Who is more middle class than America's small business men and women? Tax relief to the middle-class small business owners who must pay the cost of this wage increase mandate is no attack on the middle class. An attack would be passing the bill without such tax relief.

I urge my colleagues to support cloture, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, it has been 8 days—8 days since we started this debate on the minimum wage. Every Member of this body has made \$4,500, and yet we haven't been able to get an increase in the minimum wage from \$5.15 to \$7.25. Forty-five hundred dollars, everyone has made in this body, but minimum wage workers have still been denied. Eight days.

How long does it take? How long does it take for this body to be able to say: Yes, we are going to increase the minimum wage. How many more amendments are over there on the Republican side? We have none. We are prepared to vote on final passage right now. But oh, no, we can't do that. There should be no doubt in the minds of working families, of the middle class, who is standing for those who are earning the minimum wage.

Since we started this debate, there have been thousands of meals that have been served in nursing homes. There have been thousands of beds that have been made in hotels around this country. There are 6 million children who will benefit from this increase in the minimum wage, who can't afford books to read, who can't afford to buy

a present to go to a birthday party, and who can't spend enough time with their parents, because their parents are working 2 or 3 jobs. Today there are 50,000 wives or husbands of soldiers serving in our armed forces who are earning the minimum wage. We can do a favor for those individuals and treat them with respect and dignity by voting for the increase in the minimum wage. We ought to do that right now.

Mr. President, I ask unanimous consent that we vote on final passage right now.

The PRESIDING OFFICER. Is there objection?

Mr. ENZI. Mr. President, we have a process that is set up and a vote that is called for, and I think we ought to follow that process. I think we have made a lot of progress, and as long as we continue to have progress in a bipartisan way, this will make it through the process. It has been something everybody pledged themselves to early, and I hope we haven't broken that pledge. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader is recognized.

Mr. REID. Mr. President, before the vote is called, I wish to alert everyone here that the distinguished Republican leader and I are negotiating, trying to work something out on Iraq, which is the next issue we will go to when we finish this bill, which will be tomorrow sometime. It is very possible we are going to have a vote Monday at noon on the Iraq issue—everyone should understand that—Monday at noon. We hope that be can avoided, but we may not be able to avoid it. The Republican leader and I are doing our best to work something out. We have had a number of meetings, and we will continue to do that throughout the day.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on Calendar No. 5, H.R. 2, as amended, providing for an increase in the Federal minimum wage.

Ted Kennedy, Barbara A. Mikulski, Daniel K. Inouye, Byron L. Dorgan, Jeff Bingaman, Frank R. Lautenberg, Jack Reed, Barbara Boxer, Daniel K. Akaka, Max Baucus, Patty Murray, Maria Cantwell, Tom Harkin, Robert Menendez, Tom Carper, Harry Reid, Charles E. Schumer, Richard Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 2, as amended, an act to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Kansas (Mr. BROWNBACK) and the Senator from Nebraska (Mr. HAGEL).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 88, nays 8, as follows:

[Rollcall Vote No. 39 Leg.]

#### YEAS—88

Akaka	Enzi	Murray
Alexander	Feingold	Nelson (FL)
Allard	Feinstein	Nelson (NE)
Baucus	Graham	Obama
Bayh	Grassley	Pryor
Bennett	Gregg	Reed
Bingaman	Harkin	Reid
Bond	Hatch	Roberts
Boxer	Hutchison	Rockefeller
Brown	Inhofe	Salazar
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Byrd	Kennedy	Sessions
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Smith
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Chambliss	Lautenberg	Stabenow
Clinton	Leahy	Stevens
Cochran	Levin	Sununu
Coleman	Lieberman	Tester
Collins	Lincoln	Thomas
Conrad	Lott	Thune
Corker	Lugar	Voinovich
Cornyn	McCain	Warner
Dodd	McCaskill	Webb
Dole	McConnell	Whitehouse
Domenici	Menendez	Wyden
Dorgan	Mikulski	
Durbin	Murkowski	

#### NAYS—8

Coburn	DeMint	Martinez
Craig	Ensign	Vitter
Crapo	Kyl	

#### NOT VOTING—4

Biden	Hagel
Brownback	Johnson

The PRESIDING OFFICER. On this question, the yeas are 88, the nays are 8. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with each Senator allowed to speak for no more than 10 minutes and that the time shall run against postcloture time.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO FATHER ROBERT DRINAN

Mr. DURBIN. Mr. President, last October, my alma mater, Georgetown Law Center, established an endowed chair in human rights in honor of Father Robert Drinan. At the ceremony, Yale Law School Dean Harold Koh called Robert Drinan "a father in more senses than one." Dean Koh said:

He is the father of a remarkable revolution—a human rights revolution—a person of simple, radical faith.

Sunday night, at the age of 86, Robert Drinan died. The world has lost a courageous champion for justice, human rights, and human dignity.

I just missed Father Drinan. I graduated from Georgetown Law before he joined the faculty, and he left Congress before I arrived. So I never had the chance to study and work with him directly. But like a lot of others, I was inspired and challenged by him.

Georgetown University estimates that Father Drinan taught 6,000 students in a teaching career that stretched over more than five decades. But those are just the students who enrolled in his classes at Boston College and, later, at Georgetown. In fact, he taught a lot of people. He taught all of us about the responsibility each of us has to speak out for the voiceless and the oppressed, not just to speak, but to work for justice.

In the 1960s, as dean of Boston College Law School, Father Drinan showed courage by calling for the desegregation of Boston's public schools. He challenged his students at the law school to become active in the civil rights movement.

In 1970, the people of Boston's western suburbs elected Father Drinan to represent them in Congress, making him the first Catholic priest ever to serve as a voting Member of Congress. He ran as a strong opponent of the Vietnam war. He was the first Member of Congress to call for the impeachment of Richard Nixon, but not over Watergate, rather over the undeclared war against Cambodia. He fought to make human rights the cornerstone of American foreign policy and to establish a bureau for human rights within the U.S. State Department. He fought against government abuses of power and led a successful battle to finally abolish the House Internal Security Committee, formerly the Un-American Activities Committee, which we recall was responsible for so many unjust findings by this Congress, ruining the private lives of so many American citizens.

In 1975, he became the first American to receive his own CIA and FBI files under the Freedom of Information Act. With Congressman Frank Church and others, he worked to safeguard our right to privacy.

Father Drinan was elected to five terms in Congress, each time by larger

margins. Finally, in his last race in 1978, he didn't have an opponent. He would have been reelected again in 1980, but he was forced to step down when Pope John Paul II barred Catholic priests from holding elective office. Father Drinan left office, but he never left the struggle. He continued to work and speak out for justice until the day he died.

In 1981, he took a post at Georgetown Law Center where he taught human rights, civil liberties, and government ethics. He taught his students that the central commandment of the Bible is that "the people of God must be devoted to justice in every way." He taught that it is a sin that 31,000 children die of starvation every day in this world. He urged his students, all of us: "Sharpen your anger at injustice." Use the talents God gave you to make this world better.

Two months ago Father Drinan told a reporter that he hadn't given any thought to retiring; there was just too much left to do. And, he said, "Jesuits don't ordinarily retire. We just do what you do."

Earlier this month Father Drinan was called on for a particularly symbolic ceremony. He celebrated Mass for Speaker NANCY PELOSI at her alma mater in Washington, Trinity College. It was a special mass in honor of "the children of Darfur and Katrina."

Father Drinan spoke to our conscience. He spoke for the overlooked and underpaid, for those who were too poor or too weak to speak for themselves. He spoke out in passionate defense of the great moral and political values of our Nation.

In his lifetime he received many awards. Last May he received Congress's Distinguished Service Award for his service in the House. The American Bar Association honored him with the ABA medal for his work on behalf of human rights. He was a founder of the Lawyers Alliance for Nuclear Arms Control; president of Americans for Democratic Action; a member of the national board of Common Cause, People for the American Way, the Lawyers' Committee for Human Rights, the National Interreligious Task force on Soviet Jewry, the American Civil Liberties Union, and the NAACP Legal Defense Fund.

He received 22 honorary degrees from colleges and universities. One of those degrees, given to him by Villanova University in 1977, hung on the wall of his office in the House of Representatives. It read:

Your life's work has provided proof that service to God and country are not inimical.

How true.

In his sermon on the mount, Jesus told us:

Blessed are they who hunger and thirst after justice: for they shall have their fill.

Robert Drinan is, indeed, blessed, and we were blessed to have him serving America for so many years. Those of us who admired him and loved him were saddened by his death. But we take

comfort in knowing that just as his influence in Congress has lasted beyond those 10 years of service, Robert Drinan's influence on this world will continue to be felt long after we are all gone.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SEC INVESTIGATION FINDINGS

Mr. GRASSLEY. Mr. President, I am very happy to be on the floor with my colleague Senator SPECTER on something we have worked on together over a long period of time, and it falls very much into the category of congressional oversight. I am not going to go into the details now because I have a statement I want to use as a basis for our cooperation, and then you will hear from Senator SPECTER. I want to say how great it was to work with Senator SPECTER.

We are here to update the Senate on the interim Finance Committee findings of the joint investigation into the Securities and Exchange Commission that was conducted by the Finance Committee on the one hand, and the Judiciary Committee on the other, during the 109th Congress.

Before I go into details, there is another person I would thank for his cooperation. I want to take this opportunity to thank Securities and Exchange Commission Chairman Christopher Cox for his cooperation in providing access to thousands of pages of documents, as well as interviews with the staff at the Securities and Exchange Commission. Chairman Cox's cooperation was very essential to our ability to conduct our constitutionally mandated oversight of Federal agencies.

That said, I hope Chairman Cox takes today's findings to heart and will work to implement recommendations Senator SPECTER and I plan to put forth into the forthcoming final report.

Today, we want to update the Senate on some of the details of our investigation, which began early last year when allegations were presented to our staffs by former Securities and Exchange Commission attorney Gary Aguirre. Mr. Aguirre described the roadblocks he faced in pursuing an insider trading investigation while he was employed as a senior enforcement attorney at the Securities and Exchange Commission. Specifically, he alleged his supervisor prevented him from taking the testimony of a prominent Wall Street figure because of his "political clout," which obviously should not be ignored if an agency is doing the job they should be doing.