



United States  
of America

# Congressional Record

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

Vol. 153

WASHINGTON, THURSDAY, NOVEMBER 8, 2007

No. 173

## Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable KEN SALAZAR, a Senator from the State of Colorado.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Dr. David D. Swanson, First Presbyterian Church, Orlando, FL.

### PRAYER

The guest Chaplain offered the following prayer:

Gracious God, we bow before You as we open these proceedings asking for the provision of Your wisdom and counsel. You have blessed us in marvelous ways, and we thank You for this great country—for the privilege of living and serving in this land. As a result, may we be mindful that "to those who have been given much, much will be required."

I also ask Your blessings today upon these men and women who serve as our Senators. It is lonely and often windy where they live. The expectations are impossible to meet, problems too vast to completely overcome, requests for action endless, and opportunities to be loved far too infrequent. No one knows what it is like to walk the road which they walk. No one knows the personal sacrifices they have made. No one knows the burdens they carry. But You do, and I ask that You might come up underneath them on that road and carry those burdens with them. Let them know of Your enduring presence and the counsel of Your great wisdom. May these men and women—those viewed by many as the powerful of the Earth—yield to Your great power that they might serve humbly, faithfully, and effectively on behalf of the people of this Nation.

Bless us, we pray, in the Name of Jesus Christ. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable KEN SALAZAR 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, November 8, 2007.

To the Senate:

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

ROBERT C. BYRD,  
President pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### ORDER OF PROCEDURE

Mr. REID. Mr. President, I wish to turn to the distinguished Senator from Florida for just a minute. I ask unanimous consent that we not go to morning business until he completes his brief statement and I am recognized again.

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

### THE GUEST CHAPLAIN

Mr. REID. Mr. President, before I turn to the Senator from Florida, I

wish to say that I sit through these prayers every day. It is really good for me to do that. But the words that were uttered by Dr. Swanson this morning, as Johnny Cash says in that song, "you've been reading my mail" were really important to me, and I am sure every Senator listening to this prayer felt the same way I did. I am going to get a copy of that prayer and read it once in a while because he was talking about me when he gave that prayer and talking about Senator NELSON, Senator BAUCUS, and all of us.

Mr. NELSON of Florida. Mr. President, he was talking about all of us in lifting the burdens and the burdens we gladly bear. The pastor's prayer reminded us of our need to have a servant heart, to serve the Nation.

Dr. Swanson is very much a part of our Orlando community. He is my personal pastor, as Grace and I are members of the First Presbyterian Church of Orlando. He is illustrative of the great pastoral leadership we have had in Orlando.

A few weeks ago, we had my 30-year friend, the just-retired pastor of the First Baptist Church of Orlando, Jim Henry, here. He is one of the great leaders of the faith. We have had in this Chamber Rev. Sam Green of St. Mark A.M.E. Church, now Bishop Sam Green in a district in South Africa, another one of the great pastors of our region in central Florida. We will be having another one of the great pastors, Rev. Willie Barnes of the Baptist Church in Eatonville, FL, another one of my personal friends and one of the great pastors we have been blessed to have in our region. What they talk about, as Dr. Swanson said so eloquently in his prayer, is the unity of what was taught in the ancient Scriptures and the New Testament; that is, servant leadership. That was so well expressed in the life of Jesus, who was a role model as a leader but as a servant leader.

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



Printed on recycled paper.

S14105

We welcome these pastors, and particularly we welcome Dr. Swanson today to the Senate.

The ACTING PRESIDENT pro tempore. The majority leader.

#### SCHEDULE

Mr. REID. Mr. President, this morning the Senate will be in a period for the transaction of morning business for 1 hour, with the first half controlled by the majority and the second half controlled by the Republicans. Following morning business, the Senate will resume consideration of the veto message on H.R. 1495, the Water Resources Development Act. There is 30 minutes of debate on the veto message. Senators BOXER and INHOFE will control 7½ minutes each, and the other 15 minutes in support of the veto is under the control of the Republican leader or his designee.

For planning purposes, Members can expect a rollcall vote on the veto override about 11:40 this morning. As I have indicated, we will vote on the President's veto override. The House of Representatives voted yesterday 361 to 54 on the veto override.

This is one of the bipartisan measures we have done. We have had Senators BOXER and INHOFE working together on legislation, which any day should be a day of celebration, and they have worked so hard on this legislation. I am confident Members on both sides of the aisle will support the two managers.

Later this afternoon, we will receive the Defense appropriations conference report from the House which will include a continuing resolution to keep Government agencies funded until the middle of next month. We hope to reach agreement so we can dispose of that matter quickly and send it to the President today. It is essential we do this quickly so we can send our men and women in uniform, who have sacrificed so much in Iraq and Afghanistan and around the world, the support they deserve. It is about \$470 billion.

Finally, I have had some discussion with the distinguished Republican leader to try to work out an agreement to dispose of the Mukasey nomination. I thought I had that all worked out. Last night, a little wrinkle appeared, but I hope we can reach agreement on that today as well.

#### RECOGNITION OF THE REPUBLICAN LEADER

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

#### MAKING GOOD PROGRESS

Mr. McCONNELL. Mr. President, let me just say that I will be working with the majority to facilitate passage of both of those items he mentioned. We are looking forward to making good progress today.

#### MEASURE PLACED ON THE CALENDAR—S. 2318

Mr. REID. Mr. President, S. 2318 is at the desk. I ask for its second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2318) to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax and to permanently extend the reductions in income tax rates, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

#### 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, the Senate will now proceed to a period for the transaction of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Montana.

#### DISASTER ASSISTANCE PROGRAM

Mr. BAUCUS. Mr. President, I rise today to speak in support of the Disaster Assistance Program in the farm bill.

From the beginning, farming has been hard work. In the Book of Genesis, for example, God told Adam:

[T]hrough painful toil you will eat of [the land] all the days of your life . . . By the sweat of your brow you will eat your food.

Drought and floods, frost and hail have plagued farmers ever since. It is hard work, yet they stick to it. It is vital work to put food on America's table. It has been true since Adam: All farmers suffer disasters. In farming, it is not a matter of if, it is a matter of when.

For example, early this year, Congress passed yet another ad hoc disaster assistance package, and I was proud to back that package. But for some farmers, it was too little; it was too late. Producers are still reeling from disasters that occurred 2 years ago. For some producers who had a disaster in the spring of 2005, assistance will not come until late 2007 or early 2008.

Today is November 8, and the regulations for that disaster bill we passed in May have not even been published. Yet some Senators are already calling for an extension of that disaster bill through 2007 to cover this summer's

crops. Unfortunately, if history repeats itself, Congress will get around to passing another disaster bill around 2010. This is no way to provide disaster assistance.

I wish to show a picture of Dave Henderson's farm in Cut Bank, MT. Dave is probably one of the best farmers in Montana. Just look at his lush field of grain. This is what Dave's wheat and barley fields typically look like. During a normal year, Dave raises about 35 bushels of wheat per acre and about 54 bushels of barley per acre. That is normal—35 bushels of wheat and 54 bushels of barley. But 2007 was anything but normal for Cut Bank, MT.

From October 1, 2006, through September 1, 2007, Cut Bank received 2 inches of rain. We can see the picture on the left, the result of that lack of rain. You don't raise a crop with 2 inches of rain all season.

On my right is a picture of a normal year, and on my left is what happens when there is no rain, about 2 inches over most of the growing season. That is all he received.

This fall, Dave harvested about 4 bushels of wheat per acre, and his barley averaged about 3 bushels per acre. You cannot pay your bills when your crop is about 10 percent of normal. How much assistance do you think Dave received from the disaster bill we passed in May? What do you think? The answer is nothing. Why? Because he did not plant before the February 28 cutoff date. Consider this: If Dave had planted winter wheat instead of spring wheat, he would have received a disaster payment. But he didn't. He planted spring wheat instead of winter wheat, so he didn't get a disaster payment.

Congress can do better for our farmers. Because of Dave and thousands of farmers and ranchers across the countryside, I am proud we included a reliable disaster program in our farm bill. In the future, farmers will know that if they suffer a disaster, help will be on the way. It won't make them rich, but it will help them get by.

I am proud and grateful for the support of the disaster program we have in our farm bill, the support it has received from all around the countryside and from a broad range of agricultural groups.

I have a letter, which I am showing, from the National Farmers Union signed by over 50 groups from all across our country. This letter is signed by 50 different farm groups. We can see the whole list. I know the print is a bit small: National Farmers Organization, Ohio, Oregon, Pennsylvania, ARCAF, just to name a few. It is a large group: American Farm Bureau, Cape Cod Cranberry Growers, Texas Sheep and Goat Raisers Association, National Grape Cooperative Association, and the Independent Community Bankers of America.

Why bankers? They have just as much at stake as farmers do. They rely on each other. Bankers will more likely give a loan to a farmer if he thinks