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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, February 5, 2007, at 2 p.m.

## Senate

THURSDAY, FEBRUARY 1, 2007

The Senate met at 10 a.m. and was called to order by the Honorable BARACK OBAMA, a Senator from the State of Illinois.

### PRAYER

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

Let us pray.

Sovereign Lord, permit us to feel Your nearness and to know the inspiration of Your presence. May our closeness to You help us to choose light over darkness, love over hate, and good over evil.

Today, provide for the needs of the Members of this body. Move among them, instructing, lifting, and guiding them, so that whatever they do in word or deed, they will do it to glorify You. Give them the confidence, security, and peace that comes from developing a friendship with You as they open their hearts to the inflow of Your spirit. Show them what needs to be changed, and give them the courage and wisdom to do Your will.

We pray in Your glorious Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BARACK OBAMA 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 1, 2007.

To the Senate:

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

ROBERT C. BYRD,  
President Pro tempore.

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

### RECOGNITION OF THE MAJORITY LEADER

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

### SENATOR JIM BUNNING

Mr. REID. Mr. President, my goal as a boy was to be a baseball player. I loved to listen to those baseball games, and I could see myself in my mature years chasing balls down in the outfield and hitting doubles to bring in the winning run. That didn't happen in my life, but I have had the wonderful experience here in the Senate of being able to talk, as I was for a few minutes this morning, to a member of the Baseball Hall of Fame, JIM BUNNING.

I hope these pages here understand that they have a rare opportunity, to be able to be in the same room, to shake someone's hand who is a member

of the Hall of Fame. It was my first time, during Thanksgiving, to visit the Baseball Hall of Fame, and I came away with the realization of how few people are in that Baseball Hall of Fame. JIM BUNNING is one of them. We talked a few minutes this morning, and I asked him questions, such as: Who are the good catchers who caught you? And he said: Lots of them. And we talked today about Clay Dalrymple, the man who caught his perfect game, and Gus Triandos.

So just a little offshoot, Mr. President. We are so fortunate to be Members of the Senate for lots of reasons, not the least of which is that we are able to serve with a member of the Baseball Hall of Fame.

### SCHEDULE

Mr. REID. Mr. President, this morning the Senate will be in a period of morning business until 11:45 a.m. The first 30 minutes will be controlled by the Republicans, and the next 30 minutes will be controlled by the majority. There is additional time for Members to speak in morning business until the hour of 11:45, if they wish. At that time, the Senate will proceed into executive session to consider three judicial nominations. The debate time on the three nominations is limited to 10 minutes; therefore, Members can expect rollcall votes as early as 11:55 this morning.

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



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The distinguished Republican leader and I have had a number of conversations about judicial nominations, which, in the past, have been a real dustup. We are going to try to avoid that this year. We hope to have the first circuit court nomination approved before the Presidents Day recess and will continue to work on district court trial judges and circuit court judges as soon as we can.

I personally want the record to reflect that I appreciate the President not sending back four names that were really controversial, and I think it is better for the body that the President did not send up those names. I think we have to reciprocate in a way that is appropriate, and we are going to try to do that by looking at these nominations as quickly as we can. We are hopeful and somewhat confident the President will send us some good circuit court nominees.

Once we have disposed of the nominations, we will resume debate, postcloture, on H.R. 2, the minimum wage bill. A vote on this matter should occur this afternoon. I will discuss that with the Republican leader so that Members will have notice as to when that vote will occur.

After we complete action on the minimum wage bill, there will be an immediate cloture vote on the motion to proceed to S. Con. Res. 2, the bipartisan Iraq resolution. Last night, I asked consent that we vitiate that cloture vote. We are still working on that to see if we can work something out with the Republicans as to whether we have that vote. Most Democrats will vote against going forward on that since there is now another matter that will come before the Senate, at the latest on Monday. But we are working on that. I acknowledged last night, as did the Republican leader, that the final language of the new matter, which Senator LEVIN introduced last night, was just finalized at 8:30 p.m., 9 p.m. last night, so I understand why we can't get anything definitely from the minority leader at this time.

I would also say that we have now in the Senate a continuing resolution which passed the House by approximately 290 votes. We are ready to move forward on that. We have to complete that legislation by February 15, the Presidents Day recess, or the Federal Government is closed, and no one wants that to happen. So we are going to move forward on that. What we would like to do is move forward on it by unanimous consent. I understand that is not something that is going to happen, or at least at this stage, but at least we are ready to move forward as quickly as possible. The more quickly we dispose of that, the more time we can spend on Iraq, if, in fact, we want to spend more time on Iraq. At the least, next week is set aside so that we can debate Iraq. What we hope is that we can have a number of competing resolutions, whether it is two, three, four, whatever it is, and to get consent

that we would use these vehicles for debate.

#### MEASURES PLACED ON THE CALENDAR—H.J. RES. 20 AND S. 470

Mr. REID. Mr. President, before I turn this over to the Republican leader, there are two bills at the desk for a second reading, is my understanding.

The ACTING PRESIDENT pro tempore. The Senator is correct.

The clerk will report the measures by title for the second time.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 20) making further continuing appropriations for the fiscal year 2007, and for other purposes.

A bill (S. 470) to express the sense of Congress on Iraq.

Mr. REID. Mr. President, I object to any further proceedings at this time with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Pursuant to rule XIV, the measures will be placed on the calendar.

#### RECOGNITION OF THE MINORITY LEADER

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

#### SENATOR JIM BUNNING

Mr. MCCONNELL. Mr. President, the majority leader mentioned the baseball career of my colleague from Kentucky, JIM BUNNING, and we are immensely proud of him in the Commonwealth of Kentucky, not only as a great U.S. Senator but also somebody who literally put our State on the map during his athletic career.

I might say to these young pages here, Senator BUNNING is not only a hall of famer in baseball, he is a hall of famer in life. He has 9 wonderful children, 35 grandchildren, maybe even some beyond that. So it is an extraordinary Kentucky family, and I wish to acknowledge with gratitude the observations the majority leader made of my colleague, Senator BUNNING.

#### NOMINATIONS AND IRAQ

Mr. MCCONNELL. Mr. President, I also wish to thank the majority leader for his remarks about circuit court judges. We all know the confirmation of circuit court judges became unnecessarily, it seems to me and I think seems to him, contentious at various times in recent years. I think we are off to a good start this year.

Each of the last three Presidents ended his term with the U.S. Senate in the hands of the opposition party. Each of these last three Presidents received an average of 17 circuit court judicial confirmations during those last 2 years even though the Senate was in the hands of the opposition party.

As Senator REID has indicated, the President has not forwarded several

nominations that were contentious in the last session, and I thank the majority leader for his indication that we will move forward with Randy Smith, who is the nominee for the Ninth Circuit, before the Lincoln recess. That is an indication of good faith on his part, which is greatly appreciated by me and others on our side.

With regard to Iraq, as the majority leader indicated, we continue to be in discussions about how to craft that debate. We certainly agree the debate will occur next week, and we are trying to reach a consent agreement that would allow us to have several different options that would reflect the sentiment of most Members of the Senate about the current situation in Iraq and the decision to go forward and try to quiet the capital city of Baghdad. So those discussions will continue throughout the day.

With that, Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, 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 until 11:45 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the first 30 minutes under the control of the Republicans and the second 30 minutes under the control of the majority.

The Senator from Kentucky.

#### ROLE OF AMERICAN DIPLOMACY

Mr. BUNNING. Mr. President, I thank the majority leader and the minority leader for their nice words. They might disagree on certain issues, but I am glad they agree on one thing—that I finally made it to the U.S. Senate after spending 12 years in the House and did have a private and professional life prior to service here in the Federal Government. I thank both Senators.

As we prepare to discuss the war in Iraq, I would like to take a couple of minutes to discuss the issue of personal responsibility, civility, and the role of American diplomacy.

Since the founding of our great Nation, we have had a long and proud tradition of international diplomacy. Our diplomacy has taken many forms, whether it is through official state visits or through less formal channels, such as congressional delegations traveling to individual countries. What we all need to remember is that when we are on a trip to a foreign country, we act as American diplomats. This is something which I would like my colleagues to remember, especially when