

Mr. CARDIN 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 for 3 hours this morning. The reason for the inordinate amount of time is that—I will make a presentation in a little bit to get this started—we have more than 100 pieces of legislation that are held up, legislation that could move so very quickly, in a matter of minutes. But we cannot do that because there are Republican holds on these bills.

So we are going to go through our period of time this morning, asking consent to move to these bills. We hope some of them will pass. Some of them we should get done.

The leading cause of death in 20 States in the United States for children under age 14 is getting caught in the drains of swimming pools. It has been somewhat noted because John Edwards had one of the first legal cases in that regard.

Alaska, where you would not think there are a lot of swimming pools, or at least I would not, but there obviously are lots of swimming pools, that is the leading cause of death in Alaska for children.

We have a hold on that bill. It passed the House with three dissenting votes, 418 to 3. We cannot pass that. There are children dying while we are not able to proceed on something such as that. There are over 100 issues similar to that. It is not right. So if people wonder why we are spending so much time, that is the reason. Maybe we will get some of these people who are on the other side of the aisle who object to this to come, rather than these hidden holds, and speak.

It is not good for the body. If there are problems with a piece of legislation, that is one thing. But take that one case as an example. Following morning business, we will conduct two rollcall votes in relation to the two Gregg amendments. Other amendments will be debated following the Gregg votes and more rollcall votes will occur through the day and into the evening.

I would like to commend Senators HARKIN and CHAMBLISS for their work they have accomplished in getting an agreement with respect to the amendments. As to the list of amendments right now, all 20 Republican amendments have been offered; the Democrats have offered 8 or 9.

The work they have done in the last few days I think has been exemplary. While they were successful in getting agreements on these amendments,

other amendments will still need to be debated and voted on or accepted by the two managers.

As the year comes to a close, and the first year of the 110th Congress winds down, there is no doubt, if we continue in the current direction, this will be known as the Congress of Republican obstruction.

Already, in 1 year, Republicans have arrived at the all-time obstruction record for a full 2-year session. What we are seeing this year from Republicans is not ordinary obstruction, it is obstruction on steroids. It is terribly damaging to the American people. I do not question the right of Republicans to block bills, in fact, block bill after bill; that is how the Senate has worked. And we all play by the same rules. But because you have the right does not make it right.

On a daily basis, Republican Senators talk about the lack of progress this year. For all we have done, why have we not done more, they say. The answer is obstruction, Republican obstruction. It is disingenuous for Republicans to complain about a lack of progress and then make a concerted effort to block change—

Obstruction of the prescription drug bill, to make medicines more affordable. We have been able to accomplish a lot, but it has been difficult when we have had to file about 60 cloture petitions.

We have been able to do some good things with the minimum wage, 9/11 Commission recommendations, the landmark ethics and lobbying reform, we have done some good work with mine resistant combat vehicles, we have given the National Guard equipment they need, we have stepped in and looked at the plight of American veterans based on the Walter Reed scandal.

We have revitalized the Gulf Coast after Katrina, disaster relief for small business and farmers, Western wildfire relief. We have looked into the scandal relating to the U.S. attorneys. We passed legislation to help correct that. We have passed the WRDA, Water Resources Development Act, and a competitiveness bill led by Senators BINGAMAN and ALEXANDER, we have been able to get that done.

We have done the most significant change to college education since the GI Bill of Rights. We have been able to do some good things regarding the Internet, keeping the Internet tax free, expanding Head Start. We have done some good things.

But we have been stopped from doing other important things. The prescription drug bill is a perfect example. As we speak, companies can go negotiate for lower priced drugs for their employees. The Veterans' Administration can negotiate for lower prices for veterans but Medicare cannot. There is a prohibition that Medicare cannot negotiate for lower priced drugs. That should be changed. We tried to change it. It was blocked; obstruction of our efforts to

change the course in Iraq; obstruction of our efforts to pass an AMT fix in a fiscally responsible way; obstruction of our FHA bill, a bill that President Bush has called upon us to pass that would help Americans save their homes from foreclosure.

These are a few of the well-known examples. My Democratic colleagues and I this morning are going to talk about some of the lesser known priorities Republicans have blocked. These bills might not make headlines, but they will make a difference in people's lives, such as the swimming pool drains I talked about.

All these bills we will seek to pass today will make our country stronger. Every single one of them has fallen victim to Republican obstruction. There are no serious complaints about the bills which we seek to pass this morning, at least I do not think so. Many of them have already more than 50 co-sponsors, Democrats and Republicans—we acknowledge mostly Democrats but Democrats and Republicans.

Many have already been overwhelmingly passed by the House of Representatives and could be sent to the President's desk this afternoon. This morning's bills, though, are the tip of the iceberg. We can come to the floor tomorrow or the next day and days after that and seek action on bills similar to these that we are going to talk about.

So we hope in the coming hours, the Republican minority will call off their needless holds, call off their obstruction, call off their political posturing and start working with us to make life better for the American people.

As I indicated, a number of my colleagues will follow. What I am going to talk about now, I am going to talk about the ALS registry—ALS, Amyotrophic Lateral Sclerosis, the Lou Gehrig's disease, this great first baseman for the New York Yankees who was a man of iron who could not overcome this disease.

Similar to all people who get this disease, from the time it is discovered until you die is an average of 18 months. We have all had friends and relatives who have suffered and died from this disease. It is caused by a degeneration of the nerve cells that control voluntary muscle, which causes muscle weakness and atrophy. It is nearly always fatal. It may give victims, as I have indicated, a short time to live.

Once in a while you find someone who lives several years, and that is a blessing in their lives. Early this year, a woman named Kathie Barrett and her husband Martin traveled to Washington, DC, from Sparks, NV, to advocate on behalf of the ALS registry.

What is a registry? It is the first step to solve the problems of disease. Many years ago, they developed a cancer registry. I was involved in setting up one for a disease called interstitial cystitis. It is a disease that afflicts mostly women; 90 percent of the people who

have the disease are women. It is a bladder disease that is tremendously debilitating. I had three women visit me in my Las Vegas office. They did not want to be there. They were there out of desperation. They all had this disease, which was thought for many years to be psychosomatic.

It is best described as shoving shivers of glass up and down one's bladder. What was the first thing we had to do? We developed a registry. As a result of that, 40 percent of the people who have this disease are no longer suffering. They are symptom free.

Medicine was developed. It does not take care of everyone, but because of the registry, they were able to determine how people are affected, where they are affected, in different parts of the country, and how different medicines work. That is what we are trying to do here, develop, on behalf of Lou Gehrig's disease, a registry.

Kathie was diagnosed with this disease in May of 2002. She is still alive, which is a miracle. Despite having a breathing capacity of about 60 percent of normal, with considerable muscle loss in her neck and back, she made the long trip from Sparks, 2,600 miles. She and her husband made that trip because they believe passage of this registry is essential to the search for a cure for this devastating illness.

Every year about 6,000 people learn they have this disease, for which there is no cure, and only one specific FDA-approved drug. That drug works on 20 percent of the patients, and even for them, it extends life for usually less than a year. So for a number of reasons, ALS has proven particularly difficult for scientists and doctors to make progress upon.

One of the reasons is there is not a centralized place for data collected on the disease. Right now, that is the case. There is only a patchwork of data about ALS available to researchers. So this legislation, the ALS Registry Act, will do something that is both simple and crucial. It would create an ALS registry at the Centers for Disease Control to help arm our Nation's researchers and clinicians with the tools and information they need to make progress in the fight against this dread disease.

The data made available by a registry will potentially allow scientists to identify causes of the disease and maybe even lead to the discovery of a new treatment, a cure for ALS or even a way to prevent the disease in the first place.

This may not lead to a cure overnight, but it will give those who suffer reason for hope, real scientific hope. If you are looking for bipartisanship, look no further. The House recently passed a similar measure, H.R. 2295, by a vote of 411 to 3. How often does anything pass the House by such a large margin?

Before the Thanksgiving recess, the HELP Committee in the Senate followed suit by reporting the ALS Reg-

istry Act unanimously. What is more, two-thirds of the Senate, Democrats and Republicans alike, are cosponsors. I am appreciative of the work of my Republican colleagues, Senators WARNER and ENZI, as well, of course, Senator KENNEDY, who is always out front on these issues.

Unfortunately, despite the nearly unanimous support of the House of Representatives, the unanimous committee vote, and the overwhelming support of 67 cosponsors, we have objections—all over here, of course. For Kathie and Martin Barrett of Sparks and many thousands just like them, hope remains unfulfilled. Why has this happened? This crucial bill has been subjected to Republican holds. While some Republicans stand in the way, people's lives hang in the balance. Let's not forget the average life expectancy for an individual with this disease, after it is diagnosed, is 18 months, a year and a half. This is not a moment when we should stall. We don't have a moment to spare. We should send this bill to the President today. I ask my Republicans, please end their holds, end this senseless obstruction. The eyes of the Barretts and tens of thousands of Americans suffering are upon us. Let's honor their courage and grace by fulfilling their hope for a cure.

Mr. President, I ask unanimous consent that the ALS bill that is now before the Senate be read three times, passed, and any statements related thereto be printed in the RECORD at the appropriate place.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Reserving the right to object, would the Senator modify his request to include the passage of S. 2340, the troop funding bill?

Mr. REID. Mr. President, isn't this something? Would I modify my request for the Barretts from Sparks to get billions of dollars for the troops in Iraq? The answer is no. We have just appropriated \$470 billion, and there will be appropriate measures before we leave here to direct, if the Senate wills, funding for the troops. I think the American people should see this. Would I modify my request to allow for more money for the war in Iraq at this time? The answer is no. This is an issue dealing with Lou Gehrig's disease, not a debate on the war in Iraq. It deals with people who are sick.

I had in my office last night two marines. One of them lost both his legs, a wonderful young man, 21 years old. With him was a man who had just gotten out of bed to come to my office. He was on his fourth tour of duty before he got blown up in Iraq. We care about those people in Iraq. We care about them a lot. That is why we appropriated \$470 billion for the military. That is why we are well aware of the need to take a look at funding for more in Iraq. We have given the troops everything they have needed. We, the Democrats, have given them more than

the President has requested, with money for MRAPs, for veterans coming home. I hope everyone sees this for what it is.

Will I agree to modify my request to allow for more money for Iraq at this time? The answer is no.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, I am sorry the majority leader has objected. The fact is, unless we act promptly, the Department of Defense will be forced to issue potential furlough notices to almost 100,000 civilian employees at the Department of Defense, since they are required to do so at least 60 days in advance—hardly something anyone would welcome during the holiday season. Our Army will be out of funds by mid-February, the Marine Corps by March. This demonstrates almost sort of an attention deficit disorder when it comes to finishing the work of the Congress. We have been on the farm bill. Now we are off the farm bill to do something else without finishing the work before us. I am disappointed, but the Senator does have a right to object. I respect that.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Mr. President, the Secretary of Defense, Mr. Gates, told all of us the Wednesday before we broke for Thanksgiving that the troops would be fine—the Army until the first of March, the Marines until the middle of March. That is what he told us. I believe him. I have talked to him since then. He has confirmed that. I know there is spin from the White House that they are going to start laying people off. Let's be realistic.

We have a request before the Senate to allow a registry to be created so we can try to find a cure for a dread disease. We are going to be out of here hopefully in a few days, hopefully a week or 10 days. We are going to complete the funding for our country prior to that time. Part of that consideration—I have spoken to my colleagues on the other side of the aisle—is what do we do about the President's request, his \$196 billion request for more money for Iraq. We have to take a look at that. We want to take a look at that.

I am concerned that we fund the Government. We don't want a Government shutdown. Maybe some people in the White House would like that. We don't want a Government shutdown. We are going to work very hard to accomplish that.

Today, there are going to be a number of requests for pieces of legislation that are important. I believe people with Lou Gehrig's disease deserve a few minutes of our time today. That is what I asked that we pass. It was objected to. I understand that, but that is really too bad. That is legislation creating a registry so people can try to find out what causes this disease,

where the disease occurs in our country. It was objected to. That is too bad.

RECOGNITION OF THE MINORITY LEADER

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

POLITICAL EXERCISES

Mr. McCONNELL. Mr. President, what we are going to witness for the next 3 hours is the kind of thing that gives the public such a low impression of Congress. Looking at the new Gallup poll that just came out, the President has a 37-percent approval rating—certainly not anything to applaud if you are a Republican. But the Democratic Congress has a 22-percent approval rating, 15 percent below the President. Why is that? I think it is because the American public thought they sent us here to legislate. Obviously, in a body such as the Senate, in order to legislate you have to do things on a bipartisan basis. We are very different from the House of Representatives. We are actually beginning to make progress on the farm bill, although I must say we have only had one vote this entire week. It is Wednesday morning, and we have had one vote. The farm bill now is ready to move forward, and we are taking, at the insistence of the majority, 3 hours this morning to finger-point and make excuses and try to explain to the American people why we haven't been able to do enough on a bipartisan basis to achieve anything on their behalf.

It is now December 12, nearly a quarter of the way through the fiscal year. To date, we have had only one spending bill signed into law. The troops in the field haven't been funded. The Energy bill is still pending. Updates to the laws governing our terrorist surveillance program so that we can track terrorists and prevent attacks haven't been addressed.

As I indicated, we are spending 3 hours this morning engaged in what will essentially be a finger-pointing exercise instead of making further progress on the farm bill, which is poised to be completed if we will just stay on it. Christmas is less than 2 weeks away. You would think there would be a flurry of activity on the floor. You would think we would be doing everything possible so we could finish our work before New Year's Eve. But, as I indicated earlier, so far this week we have had one vote, and this is Wednesday.

Surely the majority has scheduled votes all day today; right? Wrong. We will not even consider the pending business, the farm bill, until at least this afternoon. And why do we have to wait until this afternoon? Is it so we can spend the morning addressing tax relief or the cost of gasoline or our troops and veterans? None of the above. We are gathered here this morning so the majority can spend hours of

valuable floor time trying to score political points instead of trying to make law.

As I indicated earlier, they have set aside 3 hours to try to show that this session's very limited accomplishments haven't been their fault, that the endless investigations and midnight Iraq votes were not the cause. They have set aside this time as if magically in the next 3 hours they will somehow pass the litany of things they have not been able to accomplish over the past 3 months.

Let's not waste even more time re-learning the lessons of the past. Partisanship and refusal to work with the minority may get you a headline, but it won't get bills signed into law. If you are serious about accomplishments, let's get back to work. Let's work together so that instead of pointing fingers, this Congress can actually point to some accomplishments. It is December 12. There is simply no time for political exercises on the Senate floor. We simply don't have the luxury of putting off our fundamental responsibilities any longer.

If the majority is serious about finishing our work and not merely about making a political point, they will not object to the following unanimous consent request which I will now make.

I ask unanimous consent that we return to the pending business of the farm bill in order to make further progress on this important measure.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DURBIN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

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 be a period of morning business for 3 hours, with the time equally divided and controlled between the two leaders or their designees and with Senators permitted to speak up to 10 minutes each, with the majority controlling the first half and Republicans controlling the final half.

The assistant majority leader.

OBSTRUCTION BY FILIBUSTER

Mr. DURBIN. Isn't this perfect? The minority leader on the Republican side comes to the floor, lamenting the fact that we aren't moving to the farm bill immediately. I think there is something in the water in the U.S. Capitol that leads to political amnesia. The Senator from Kentucky has obviously forgotten that we sat on the floor and languished for more than 2 weeks because the Republicans presented us

with 200 amendments to the farm bill and wouldn't narrow them down to a reasonable number we could consider. We sat here for 2 straight weeks and did nothing. Now the Senator from Kentucky has great angst over the thought that we might even talk about anything else before we return to the farm bill at noon.

Trust me, we will return at noon. We should have finished it weeks ago. We could have finished it weeks ago if the Senator from Kentucky had gathered his Republican conference together and said: Please, once every 5 years we consider a farm bill. We don't consider amendments of everything under the sun—the Tax Code, medical malpractice. We focus on the farm bill, on nutrition and rural development and agricultural programs. If he had done that, if he had gathered his Republicans together and asked for a modicum of cooperation, we would have finished the farm bill weeks ago.

Now he comes to the Senate floor with a heavy heart that we might spend the next 2½ hours talking about something other than the farm bill. He has forgotten, obviously, what has transpired. But the CONGRESSIONAL RECORD tells the story. The record is there for America to see.

This Republican minority has taken us to a new place in the Senate. They have broken a record. I don't think another Congress will be able to match what they have been able to do, at least I hope not. There is something in the Senate called a filibuster. A filibuster is a time-honored tradition where an individual Senator can virtually stop debate on a measure by standing and speaking. Most people are familiar with it because of the popular movie of 50 or 60 years ago, "Mr. Smith Goes to Washington." Jimmy Stewart stood at his desk, this brandnew Senator, fighting against the odds and against the establishment until he crumbled in exhaustion. His filibuster ended as he was physically spent. That was an image emblazoned on the minds of many across America of a Senate where one person can stand and fight to the bitter end.

There is some truth to that movie. In a filibuster, any Senator can take the floor on an amendable measure and hold the floor as long as they are physically able to do so. The record may be held by Senator Thurmond of South Carolina. If I am not mistaken, he spent some 24 hours once in the midst of one of these filibusters.

I remember reading an account, incidentally. The first man I ever worked for in the Senate was a Senator from Illinois named Paul Douglas. They knew Strom Thurmond was going to initiate this filibuster. They also knew they might be able to end the filibuster early if he had to take a break for a trip to the restroom. They knew Senator Thurmond was partial to orange juice, and they brought a pitcher of orange juice on the Senate floor next to his desk, hoping he would drink it and