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## 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 PRESIDING OFFICER. Today's prayer will be offered by former Senate Chaplain Dr. Lloyd Ogilvie of Los Angeles, CA.

The guest chaplain offered the following prayer:

"Wait on the Lord; take courage, and He shall strengthen your heart. Wait, I say, on the Lord."

Gracious God, Sovereign of our Nation, Lord of our lives and source of inspiration and courage for the high calling of political leadership, the bracing admonition of the psalmist sounds in our souls. Wait on You Lord? That is not easy for us to do. Then we realize that waiting on You is not for You to catch up with us to bless what we have already decided but for us to linger in Your presence until we think Your thoughts, experience Your love, will to do Your will, and receive Your supernatural guidance for the great issues we face. Thank You for stopping us in our tracks, capturing our minds, quieting our stress-strained emotions, and interrupting our flow of words with Your Word, "Be still and know that I am God."

Father, we need You more than our next breath and we depend on You more than the thump of our next heartbeat.

We really believe there is no problem too big for You to solve, no division so complex that there is no solution through creative compromise, and no struggle for political power that You cannot turn into a stepping stone.

On this day of the State of the Union Address, bless our President as he speaks and the Members of Congress as they listen, that unified by patriotism, they may lead our beloved Nation through this turbulent time. We thank You for the patriotic Americans who

lead this Senate: ROBERT BYRD, HARRY REID, MITCH MCCONNELL, DICK DURBIN, and TRENT LOTT. We wait on You. Grant us courage and strengthen our hearts. You are our Lord and Savior. 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 assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 23, 2007.

To the Senate:

Under the provisions of rule I, section 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.

### WELCOME BACK TO REVEREND OGILVIE

Mr. REID. Mr. President, it is very good to have back Reverend Ogilvie, our former Senate Chaplain. A lot of

thoughts came to my mind. I sat here for 6 years and listened to almost every one of his prayers. My mind goes back to some of the tragedies that had come to the Senate during his tenure, including the death of Governor Carnahan, the death of Paul Wellstone, and the death of Paul Coverdell. I mention Paul Coverdell because I traveled to his funeral in Georgia, and the Chaplain at that time, Chaplain Ogilvie, delivered the eulogy and was in charge of the services there in Georgia. I will always remember the dignity, compassion, and the understanding in the words of Reverend Ogilvie. It is good to have you back. Thank you very much for all you do for our country. I am sure you are doing good things in California, as you did here for so many years.

Mr. MCCONNELL. Mr. President, if the majority leader will allow me an observation about Dr. Ogilvie and his extraordinary service to this body and to the Nation, it was truly exemplary. I know I speak for all of the Members on this side of the aisle when I say to Dr. Ogilvie, thank you for your years of service here. It is wonderful to see you again.

### SCHEDULE

Mr. REID. Mr. President, this morning, we will be in a period of morning business for 60 minutes. The first half of the time will be under the control of the Republicans and the second half of the time will be under the control of the Democrats.

Following morning business, we will resume consideration of H.R. 2, the minimum wage bill. We will be in recess today from 12:30 to 2:15 for the party luncheons. As I indicated, we have two cloture motions that have been filed. The first vote, on line-item veto, will take place tomorrow. If cloture is not invoked, we will then proceed to a vote on the underlying bill, which is S. 2.

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



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S873

There have been a number of amendments filed and that is very good. We are looking at a number of them closely to see if we can schedule a vote on one of them sometime this morning.

Looking at the schedule, we are going to have a couple of votes Friday morning, and everyone should understand that. The only way I can see that we will not have votes Friday morning is if we can figure out a way to finish minimum wage on Thursday. That is certainly possible. I am impressed with the seriousness of the amendments that have been offered. To this point, five amendments have been offered, and we certainly could complete this bill this week if we put our minds to it. I hope we can do that. If we cannot, it will spill over into next week. I am not sure that is good; we have so many things that we have to do. I have had a number of conversations with the Republican leader and we are going to have debate on Iraq. We are going to make that as meaningful as possible. We are going to work together to see if we can limit the subject matter of the debate on Iraq. We hope we can do that. We also have other things that are facing us down the road, not the least of which is stem cell research and negotiation on Medicare. But more importantly, we have to make sure the Government has money after February 15. That is something, again, I have had a number of conversations on with the distinguished Republican leader. The Appropriations Committee, with Democrats and Republicans, has worked very well on that. Senator COCHRAN has been fully engaged and all of the subcommittee chairs and ranking members have been engaged.

I think we are at a point where we have a pretty good idea of the subject matter of the CR. There will be no earmarks, zero, not a single earmark on the CR. That is what we have agreed upon. Senator McCONNELL agrees with that, as I do, and the two appropriating bodies agree with that. So we are going to move forward on the CR. It is not going to be fun. I have been an appropriator here for many years, as has Senator McCONNELL. We like to do the regular process, but in my opinion we cannot get to that unless we get the CR out of the way and work on the budget and get the appropriations bills done.

It is my goal to work very hard to get the appropriations bills done this year. It has been done before and we can do it again. It has been done under Republican leadership and under Democratic leadership in the Senate. We have been working on it on a bipartisan basis. I think we can get it done.

As a reminder, first-degree amendments must be filed at the desk by 2:30 p.m. this afternoon.

#### RECOGNITION OF THE REPUBLICAN LEADER

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

#### CLOTURE

Mr. McCONNELL. Mr. President, let me focus my remarks on the second cloture vote that will occur tomorrow. Were cloture to be invoked on what is generally referred to as a "clean minimum wage," the bipartisan compromise that has been put together between Senator BAUCUS and Senator GRASSLEY and Senator ENZI and others would be wiped out. So I think it is extremely important to mention to Members, those who would like to continue to go forward on a bipartisan basis, if cloture were to be invoked, that would eliminate the possibility of going forward on a bipartisan basis on minimum wage. I hope cloture will not be invoked—the second cloture vote would not be invoked, so that we can proceed with the substitute, which seems to enjoy broad, bipartisan support in the Senate.

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 be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the first half of the time under the control of the minority and the second half of the time under the control of the majority.

The Senator from Oregon is recognized.

#### HEALTH CARE

Mr. SMITH. Mr. President, it is always an exciting time when a new Congress takes its oath of office and the President comes to Capitol Hill to give his State of the Union Address. It is a time when our Nation takes its pulse and checks its health.

As we contemplate what the President might say and the agenda that this Congress might pursue, it occurs to me that this is a good time to express what I hope will be a priority of this Congress, and it relates to health.

I think, undoubtedly, the President will focus some of his remarks on Iraq. That continues as a major focus of public attention and a legitimate cause of its concern. But I think the American people would also very much appreciate our turning our focus to home, on things that affect the lives of everyday Americans and their families and on their individual concerns.

There is probably no greater individual concern than health care. I do hope the President will address health care because I know moms and dads are addressing it every day.

There are three issues I would like to speak to as it relates to health care, to

what I hope will be a focus of the 110th Congress.

When I think of health care in this Congress, the issues that come to mind are stem cells, mental health, and the uninsured. When I think of stem cells, I immediately think of some of the most loathesome diseases that affect humankind. Obviously, Parkinson's disease, which has certainly taken its toll in my family; Alzheimer's, which afflicts so many of our seniors and puts incredible burdens upon their caregivers; and diabetes. It is heartrending to meet with children afflicted with diabetes at an early age, that directs them down a path of lifelong suffering and dependence upon injections.

I think of cardiovascular disease. Heart disease is probably our greatest killer as a people. Then, of course, there are those who, through accidents or other causes, suffer spinal cord injuries. All of these terrible afflictions have mystified our best and brightest minds in the scientific community, and yet stem cell research, in all of its forms—embryonic, adult stem cells, and some of the new breakthroughs that have been discovered through amniotic fluid—all hold great promise.

It does seem to me that one of the first steps of this Congress ought to be to return to this debate. The time is now to make progress. The time is now for us as a people to have the vast majority view heard and enacted into law. It is important for the Federal Government to show up to work on this issue. It is important because the Federal Government can provide the seed money. The Federal Government can provide the moral boundaries. The Federal Government can help to provide world leadership on this important biomedical ethical issue.

So as we enter this Congress, I do hope that by large majorities in the House and the Senate, we will pass embryonic stem cell research and further those other avenues in stem cell research that hold out so much promise. I have always believed that an ethic of life includes concern for the living as well. I believe it is time for us to unshackle the hands of our scientists so that we can unlock with the key of science these great mysteries.

Next, Mr. President, I speak of mental health. It has always been troubling to me, but especially in light of my family's history, that physical health is held at one level but mental health has always occupied a subordinate level. Because of the embarrassment and then the shame that attends mental health, a great stigma has attached to this issue, and because stigma attaches to it, society has caused those who suffer debilitating mental health issues not to seek treatment or to hide their afflictions. Yet it seems to me obvious that such issues as schizophrenia, bipolar condition, postpartum depression—it is hard to imagine anyone in this modern day and age who says these are not legitimate afflictions of