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Senate

(Legislative Day of Wednesday, September 17, 2008)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Eternal God, today we open our hearts to You as we remember that You are our help in ages past and our hope for years to come. Lead our Senators as they recall Your care over our Nation in the past and Your mercy which follows us all our days. Bless the many people who work long hours on the Senate staffs and reward them for their diligent faithfulness.

Heal the sick, make strong the wavering, guide the perplexed, and befriend the lonely. Today, may faith replace fear, justice triumph over greed, and peace conquer strife.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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, October 2, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR 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, this morning following leader remarks, we are going to be in morning business with Senators allowed to speak for up to 10 minutes each. There will be no rollcall votes today.

TRIBUTE TO SENATORS

CHUCK HAGEL

Mr. REID. Mr. President, I want to spend just a few minutes today talking about CHUCK HAGEL, the Senator from the State of Nebraska.

I was raised in an environment where things were physical—football, baseball, boxing, fighting, and being tough. That was important. And as I have looked through the Senate over these years, there is no one that fits that bill more than CHUCK HAGEL. The senior Senator from the State of Nebraska is both physically and mentally very tough.

Senator HAGEL is a person who suffered multiple broken noses playing high school and college football and, as

we read in his book, an occasional scuffle off the field. Senator HAGEL is a man who won a football scholarship to go to college because of his athletic prowess but had to change his plans when injury left him with an uncorrected pinched nerve in his neck.

Senator HAGEL is a man who risked his own life on many occasions, but on one occasion risked his own life and suffered terribly to save his brother's life in the jungle of Cambodia during the Vietnam conflict. Senator HAGEL is a man who still carries shrapnel from his heroic uniformed service to our Nation.

Senator HAGEL tells the story in his book about his childhood, that when he and his brother Tom were growing up, the Hagel family moved around Nebraska to seven different houses in small Nebraska towns. The seven places he lived formed a loop around the State. So when CHUCK first ran for the Senate in 1996, he could go almost anywhere in Nebraska and tell local crowds, "it's good to be home."

When CHUCK HAGEL's draft number was called in 1967, he was given an order to ship out to Germany after being inducted. But he said: I don't want to go to Germany. The war is in Vietnam. So he asked to change his orders to go to Vietnam where the action was. What this young man from Nebraska believed was that fighting a war meant going to the front lines, not someplace thousands of miles away. So that is where he wound up.

Since the Sullivan brothers' deaths in World War II, it was not very often that siblings found themselves in the same combat zone fighting, but that isn't what happened in this situation with the Hagel brothers. No one really knows how—they think it was a stroke of luck, but it remains a bit of a mystery—CHUCK HAGEL and Tom Hagel wound up in the same infantry, same

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



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fighting unit, fighting shoulder to shoulder in the jungles of Cambodia.

Mr. President, in the span of less than a month, these two brothers each had the chance to save the other's life. Not only did they have the chance, but they took that chance and they were successful. Here is one account:

One of the soldiers . . . hit a trip wire, setting off a mine that had been placed in a tree so that it would detonate at face level. Bodies, body parts and shrapnel were blasted back into the ranks as the squad was crossing a stream. Tom picked himself up and looked for his brother. What he saw was a 'geyser' of blood gushing from Chuck's chest. Tom, then only 19, stanced the bleeding and bandaged the wound, only then noticing that he'd been hit himself in the arm. Twenty-five days later, it was Chuck's turn to rescue Tom when their troop carrier hit a hand-detonated mine as it emerged from a village in the delta. Tom had been in the turret behind a .50-caliber machine gun. He was unconscious, not obviously alive, when his brother got to him. The blast had blown out Chuck's eardrums and severely burned his left side, but knowing the carrier might soon explode, he worked feverishly to pull Tom from the wreckage, then threw his body on top of Tom's as Vietcong fighters in ambush sprayed the area with gunfire.

For this remarkably courageous service, SGT CHUCK HAGEL was decorated with the Vietnamese Cross of Gallantry, the Army Commendation Medal, the Combat Infantryman Badge, and two Purple Hearts.

After the war, CHUCK HAGEL came to Washington and worked on Capitol Hill. By the age of 26, he was chief of staff to Congressman John McCollister of Nebraska. Within 10 years, he was appointed by President Reagan to be the second highest ranking official in the Veterans Administration. But very typical of CHUCK HAGEL, after just a few months during his term of service, he spoke out against a cut in benefits to Vietnam veterans and quit the Department in protest. This was not the stepping stone to an impressive career in Washington, as some had thought, because CHUCK HAGEL spoke out against something he thought was wrong.

When Senator HAGEL left Capitol Hill, he scraped together whatever money he could find by selling a car and cashing in life insurance policies to invest in an upstart business that built networks for wireless phones. Within a few years, CHUCK HAGEL's company was one of the most successful cellular telephone providers in America. He entered the American system of free enterprise and was extremely successful. But after succeeding in business, CHUCK returned his attention to politics and won a seat in the Senate in 1996.

I have served with CHUCK HAGEL in the Senate for 12 years. One would be hard-pressed to find a more conservative Member than the senior Senator from Nebraska. Although our political philosophies differ, I know CHUCK HAGEL to be one of the bravest and most fiercely independent Members of this legislative body. He has been a def-

icit hawk when others in his party abandoned fiscal restraint.

He crossed the aisle and worked with my predecessor, Senator Daschle, as well as Senator KENNEDY and Senator MARTINEZ on the Republican side, to seek a comprehensive immigration plan that would be both tough and compassionate but, above all, fair.

He served the people of Nebraska well as a member of the Foreign Relations Committee, the Banking Committee, the Housing and Urban Affairs Committee, the Intelligence Committee, and the Rules Committee.

I will be forever grateful for the courage Senator HAGEL has shown on the Iraq war. He spoke out early against the war, he spoke out often, and he was right. As all Senators know, speaking up against a hallmark policy of one's own party is no easy task. With Senator HAGEL's help, we were able to move the debate forward and to finally provide some oversight on the incompetent management of the war. Although Senator HAGEL will not see the end of the war as a Member of this body, there is no doubt that his courage has brought us closer to that day.

One of the most remarkable days in my political career was the time when we were working on how to do something to change the course on the war in Iraq. I went and visited Senator HAGEL in his office. As you walk in, you see a picture of Tom and CHUCK HAGEL in a mechanized vehicle in the jungles of Cambodia—or Vietnam. I don't know exactly where it was, but Southeast Asia. He is very proud of his military career. But we visited, and I probably wouldn't be a very good salesman, selling automobiles or a house because it was hard for me to close the deal, saying: CHUCK, will you vote with me? At home that night, he called me and said words to the effect: I listened to you; I'm going to vote with you.

His vote made the difference. It allowed us to carry the day and send a bill to the President that the President vetoed. Senator HAGEL didn't wait for me to close the deal, he closed the deal. I have great admiration and respect for him and what he did that night. I think he changed the direction of the country and how it felt about the war in Iraq, and it allowed the people in America to know that we could do something, that we are not powerless.

It is well known that Senator HAGEL has been considered on more than one occasion as a candidate for President or Vice President. Here is what he said, though.

I don't have to be President. I don't have to be a senator. I just have to live with myself.

So whatever path CHUCK HAGEL follows next, he, his wife Lilibet, and their daughter Allyn and son Ziller, should have the deepest pride in the lasting impact of Senator CHUCK HAGEL's patriotism and service for the betterment of the Nation we love through both the military and the Senate, where he has served so gallantly.

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 proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REED. I ask unanimous consent that I be allowed to speak as in morning business.

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

TRIBUTE TO SENATORS

Mr. REED. Mr. President, I rise this morning to recognize and pay tribute to several colleagues who are concluding distinguished careers in the Senate. These gentlemen have distinguished themselves. They have dedicated themselves to representing their States and representing the best interests of the Nation.

PETE DOMENICI

Senator PETE DOMENICI is an individual who has worked many years to strengthen our country in so many different ways. He has been a key member of the Committee on Energy and Water, and he has been a key member of the Appropriations Committee and the Budget Committee.

He was first elected to the Senate in 1972—36 years of outstanding service to the Nation and to his State of New Mexico.

He will be remembered for many things but particularly for his unswerving commitment to mental health parity in the health care system. It is fitting that legislation we passed will bear his name, along with that of Senator Paul Wellstone. Senator DOMENICI's advocacy for those with mental illness, his understanding of these issues in a profoundly personal way, accounted for the momentum and ultimately the success of the legislation. I commend him and thank him for his service.

LARRY CRAIG

Senator Larry Craig, with whom I had the privilege to serve on the Committee on Appropriations, is someone who has vigorously defended his positions in the Senate. We have disagreed more often than agreed, but our debates have been both vigorous and civil. I can recall managing the legislation, Senator CRAIG on the opposing