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

Let us pray.

O God of perfect goodness, give us today a vision of You that we might be renewed by Your forgiving love and challenged by Your righteousness.

Inspire the Members of this body with Your presence. Give them such confidence in Your providential leading that they will find rest from their burdens. Let peace reign in their hearts, thoughts, and conversations, as You order their steps and direct their paths.

Sovereign God, You know better than we what is best for us and our world; so use us today for Your glory. We pray in the Redeemer's Name. 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, February 26, 2008.

To the Senate:

Under the provisions of rule I, paragraph 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.

MEASURES PLACED ON THE CALENDAR—S. 2663, S. 2664, AND S. 2665

Mr. REID. Mr. President, I believe there are three bills at the desk due for a second reading.

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

The assistant legislative clerk read as follows:

A bill (S. 2663) to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

A bill (S. 2664) to extend the provisions of the Protect America Act of 2007.

A bill (S. 2665) to extend the provisions of the Protect America Act of 2007 until July 1, 2009.

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

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

The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of my colleague, Senator MCCONNELL, the Senate will resume consideration of S. 1200, the Indian Health Care Improvement Act. We will have a series of probably only four votes, and those votes should start momentarily.

Following our caucus luncheons, there are three cloture votes with

which we have to deal. I am going to talk to the distinguished Republican leader, Senator MCCONNELL, as to time limits.

I was thinking to myself, Mr. President, as the prayer was being offered by our wonderful Chaplain, Admiral Black, that one thing I could use a little help on is this scheduling. I mean, it is really not funny, even though it is kind of funny. One Senator has to leave at a certain time, one has to be back at a certain time, and another doesn't want us to do anything. So it is hard to make everyone happy, and that is one of my jobs: to try to make everyone happy. Sometimes it is impossible. So I would maybe alert the Chaplain that maybe he should start praying for a little scheduling ease sometime in the near future.

RECOGNITION OF THE MINORITY LEADER

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

FEINGOLD AMENDMENTS

Mr. MCCONNELL. Mr. President, this afternoon we will indulge in a little bit of nostalgia with another vote on the Feingold bill to cut off funds for our troops in Iraq. I don't know what our friends on the other side expect to accomplish, but if past experience is any guide, we already know the outcome.

Last May, 67 of us voted against the proposal to cut off funds for our troops in the field. Mr. President, 4 months later, 70 Senators—3 more—voted against it the second time. Two weeks after that, 68 Senators voted against it for a third time. And in December, 71 of us—more than three-fourths of the Senate—voted no once again to cutting off funds for troops in the field.

So the outcome of the final vote on the Feingold bill is obvious: The Senate is on record not once but four times

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



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that it will not cut off funds while our troops are in the field.

All the more so will we oppose it when the fight in Iraq, by all accounts, is showing clear-cut tactical progress, and now, at last, some important political progress is also apparent over in Iraq.

This bill does give us an opportunity—an opportunity to step back and highlight the remarkable progress that has been made in Iraq since the first time our friends proposed cutting off funds last May. It gives us a chance to highlight why we were wise to reject it even when the outcome in Iraq was unclear, much less now when progress is clearly being made.

Two months ahead of another visit by General Petraeus and Ambassador Crocker, we should acknowledge the heroic sacrifices of our men and women in uniform and the important turnaround they have achieved in Iraq on behalf of the American people. The brave Iraqis who have stood with them also deserve our praise. All of this is in our Nation's long-term security interests.

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

Mr. REID. Mr. President, I will make a statement prior to the Iraq votes, and I will be happy to lay out why we are doing this. We are doing this because the majority of the American people recognize this war in Iraq is costing huge amounts of money. Some are saying now as much as \$15 billion a month.

But let's say it is not that much. Let's say it is only the lower figure of \$10 billion to \$12 billion a month. I met yesterday with the Speaker and all the 28 Democratic Governors, and they are desperate for money to do what their States need in dealing with health care, infrastructure, and fighting crime. They are desperate. Where is the money they need? It is going to Iraq in the sum of about \$400 million a day.

So we are going to continue to debate this because the American people know what is taking place, and I will discuss this more fully right before the votes on the two cloture motions that have been filed on the Iraq situation.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate resumes consideration of S. 1200, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 1200) to amend the Indian Health Care Improvement Act to review and extend that act.

Pending:

Vitter amendment No. 3896 (to amendment No. 3899), to modify a section relating to limitation on use of funds appropriated to the Service.

Dorgan amendment No. 3899, in the nature of a substitute.

Smith amendment No. 3897 (to amendment No. 3899), to modify a provision relating to development of innovative approaches.

Murkowski (for DeMint) amendment No. 4015 (to amendment No. 3899), to authorize the Secretary of Health and Human Services to establish an Indian health savings account demonstration project.

Murkowski (for DeMint) amendment No. 4066 (to amendment No. 3899), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

AMENDMENT NO. 3896

Mr. DORGAN. Mr. President, I believe by previous unanimous consent the Senate will now consider the Vitter amendment.

The ACTING PRESIDENT pro tempore. The Senator is correct. There are 2 minutes of debate equally divided.

The Senator from Louisiana.

Mr. VITTER. Mr. President, I strongly urge all of my colleagues to support this mainstream amendment. The Vitter amendment codifies the Hyde amendment and simply says in Indian health care no taxpayer funds will be used to support abortions, with the normal exceptions of the Hyde amendment.

Up to now, this has been the practice and the law, but only because the Indian health care law points to whatever the current appropriations language is on the subject in Labor, Health, and Education. And so it is a very tenuous policy that is subject to change and a vote and a change in policy every year.

This amendment will solidify that policy. It will put the Hyde amendment in permanent Federal authorization law with regard to the Indian health care act, just as was done decades ago in the Defense authorization bill. It is a solid mainstream amendment, and I urge support from both sides of the aisle.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, this is not a debate about whether Federal dollars should be used for abortion services. Current law already prohibits that. I oppose Federal funding for abortions, and I have supported the Hyde provision. But the Vitter amendment is completely unnecessary.

First of all, we have a provision in the underlying bill that relates to the Hyde provision that applies to all other appropriations bills. But I do want to say this: This is not a mainstream amendment that everybody is clear about. In fact, there is a provision in this amendment on page 2, section B. I don't know what it means, and I don't think Senator VITTER knows what it means. There have been no hearings, no discussion, yet onward through the fog on amendments like this.

The fact is, we ought to have a hearing, but there has been no hearing. I don't understand what section B means, nor does the author, I believe.

Having said all that, again, this is not a debate about whether Federal dollars should be used for abortion services. Current law already prohibits the use of Federal funds for abortion services, and the underlying bill contains a provision that relates to current law and continues the same policy.

The ACTING PRESIDENT pro tempore. All time has expired. The Senator from Louisiana.

Mr. VITTER. I ask unanimous consent for 30 additional seconds.

Mr. DORGAN. I will agree, provided I am allowed 30 additional seconds following Senator VITTER.

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

Mr. VITTER. Mr. President, I do this to ask the distinguished Senator about the provision he is talking about. Maybe we can have a discussion about it rather than him vaguely alluding to it without pointing out the language and claiming nobody knows what it means.

Mr. DORGAN. Well, Mr. President, the appropriate place for that kind of discussion would have been a congressional hearing. That is where you discuss what provisions mean and how they are written.

The provision reads: As to provide or pay any administrative cost of any health benefits coverage that includes coverage of an abortion.

I don't understand what that means with respect to facilities or other issues. There are a series of issues that relate to that. And that is not, incidentally, just codifying the Hyde amendment, as the Senator alleges. This provision doesn't exist with the Hyde amendment. This is something the Senator conceived of and added.

My point is, it ought to be the subject of a hearing. We don't disagree on the issue of Federal funding for abortion. We agree on that. But the Senator has mischaracterized his amendment.

Mr. VITTER. Reclaiming my remaining time, that was language I pointed out to the distinguished Senator 3 weeks ago when I introduced my amendment and we discussed it. So I think it is a little disingenuous to bring it up at this point.

Mr. DORGAN. And, Mr. President, he indicated when he pointed it out to me that this is why it was different than the Hyde amendment, which doesn't point to what he claims today.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. VITTER. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.