



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, WEDNESDAY, MARCH 12, 2008

No. 42

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

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

Let us pray.

Sovereign Lord, how great You are. You have created the heavens and the Earth. You can't be contained in temples made with hands.

Make Your presence felt in the Senate today. Expand the horizons of our Senators and their staffs until they see things that are not and ask, why not. Intensify their consciousness of Your love and speak clearly to them of Your will. Lift them beyond the power of sin and establish them with righteousness.

Fill us all with the gratitude that befits Your wondrous deeds, as You bring our lives into line with Your purposes. Lord, clear away the cobwebs of complacency, empowering us to be Your ambassadors in these challenging times.

We pray in the Name of Him in whom is all power in heaven and on Earth. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 12, 2008.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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, this morning, following my remarks and those of the Republican leader, the Senate will resume consideration of S. Con. Res. 70, the concurrent resolution on the budget.

RECOGNITION OF THE MINORITY LEADER

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

WHO IS RICH

Mr. MCCONNELL. Democrats have campaigned hard on the promise of tax relief for the "middle class." They say any tax hikes they propose would only affect "the rich."

This, of course, raises a question. Who exactly are Democrats calling rich? Let's take a look.

According to Democrats, the "rich" include single workers who earn \$34,000 a year. First year schoolteachers in Jefferson County, KY, earn \$35,982 a year. I don't think they are rich.

According to Democrats, couples are rich if they earn \$63,000 a year. I doubt that couples with children who make \$63,000 a year think that they are rich.

The fact is, under the Democratic plan, a lot of people will wake up happy to hear they are rich, only to realize the only change in their lives is a hefty tax sock to their wallets. So much for the good news. It is what Patrick Moynihan might have called "defining wealthy down".

But there is a purpose behind the rhetoric. Democrats couldn't support their \$1.2 trillion in spending—and the largest tax hike in history—unless they cast their tax hike nets far and wide.

So they have proposed to raise taxes on tens of millions of individuals and families that they call "rich."

Under the Democratic plan for taxing the "rich," a single mother who earns \$45,000 a year would see her taxes go up.

Under the Democratic plan for taxing the "rich," 7.8 million low-wage earners will be added, back to the tax rolls, workers who are now considered too low-income to pay any income tax at all.

Under the Democratic plan for taxing the "rich," 43 million families would be hit with an average tax increase of \$2,300 next year.

These are the people that Democrats in Washington are calling "rich"—folks who would laugh if you told them that after a monthly budgeting session around the kitchen table.

One would think that as the economy slows and fears spread about the cost of fuel, health care and food rising even higher, our friends on the other side could resist reverting to type.

The last thing middle-class families can afford is a higher tax bill this year.

So as the debate over the budget continues, let's be clear about who will be picking up the tab for the largest tax hike in U.S. history. It is not just the rich.

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



Printed on recycled paper.

S1915

I yield the floor.

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

DEMOCRATIC BUDGET

Mr. REID. Mr. President, the only thing we haven't heard about the Republicans' plan to take care of the world is tort reform. That is usually part of the mantra. We have a situation where everything that should be going up is going down. We have an economy that is spiraling down. We have a housing market that is in crisis. We have gas prices that are predicted, by early summer, to be an average of over \$4 a gallon. We have a war that is now starting its sixth year, and it is costing us \$420 million a day. We have an economy that has gone from good to terrible. And we have a budget that has been put together with a tremendous soft touch. What does that mean? It means we are recognizing the problems we have in our economy, and we want to return to those days where we were paying down the national debt.

This isn't pie in the sky. We have actually done it. This is a blueprint for how we need to proceed with our economy. I commend and applaud Senator CONRAD for putting this budget together. There is nothing in this budget that talks about increasing taxes. In fact, what this budget does is decrease taxes for the middle class. In fact, that is what the Baucus amendment which is now pending is all about.

RESERVATION OF LEADER TIME

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

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 70, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 70) setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

Pending:

Baucus amendment No. 4160, to provide tax relief to middle-class families and small businesses, property tax relief to homeowners, relief to those whose homes were damaged or destroyed by Hurricanes Katrina and Rita, and tax relief to America's troops and veterans.

Graham amendment No. 4170, to protect families, family farms, and small businesses by extending the income tax rate structure, raising the death tax exemption to \$5 million, and reducing the maximum death tax rate to no more than 35 percent; to keep education affordable by extending the college tuition deduction; and to protect senior citi-

zens from higher taxes on their retirement income, maintain U.S. financial market competitiveness, and promote economic growth by extending the lower tax rates on dividends and capital gains.

The ACTING PRESIDENT pro tempore. The majority leader.

TO EXTEND AGRICULTURAL PROGRAMS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. 2745.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2745) to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid on the table, there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The bill (S. 2745) was ordered to be engrossed for a third reading, read the third time and passed, as follows:

S. 2745

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AGRICULTURAL PROGRAMS.

(a) EXTENSION.—Except as otherwise provided in this section and notwithstanding any other provision of law, the authorities provided under the Farm Security and Rural Investment Act of 2002 (Public Law 107-171; 7 U.S.C. 7901 et seq.) and each amendment made by that Act (and for mandatory programs at such funding levels), as in effect on September 30, 2007, shall continue, and the Secretary of Agriculture shall carry out the authorities, until April 18, 2008.

(b) CONSERVATION PROGRAMS.—

(1) FARMLAND PROTECTION PROGRAM.—Notwithstanding any other provision of law, the Secretary of Agriculture (referred to in this subsection as the "Secretary") shall continue the farmland protection program established under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) at a funding level of \$97,000,000 per year.

(2) GROUND AND SURFACE WATER CONSERVATION.—Notwithstanding any other provision of law, the Secretary shall continue the ground and surface water conservation program established under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa-9) at a funding level of \$60,000,000 per year.

(3) WILDLIFE HABITAT INCENTIVES PROGRAM.—Notwithstanding any other provision of law, the Secretary shall continue the wildlife habitat incentive program established under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1) at a funding level of \$85,000,000 per year.

(c) EXCEPTIONS.—This section does not apply with respect to the following provisions of law:

(1) Section 1307(a)(6) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7957(a)(6)).

(2) Section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)).

(3) Section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034).

(4) Section 601(j)(1) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(j)(1)).

(5) Section 231(b)(4) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621note; Public Law 106-224).

(6) Section 9002(k)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(k)(2)).

(7) Section 9004(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104(d)).

(8) Section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)).

(9) Subtitles A through C of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911 et seq.), with respect to the 2008 crops (other than the 2008 crop of a loan commodity described in paragraph (11), (12), (13), or (14) of section 1202(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7932(b))).

(d) SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.—The provisions of law specified in subsections (a) through (c) of section 1602 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7992) shall be suspended through April 18, 2008.

(e) RELATION TO CONSOLIDATED APPROPRIATIONS ACT, 2008.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section does not apply to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 (division A of Public Law 110-161; 121 Stat. 1846).

(2) REPEAL OF SUPERSEDED EXTENSION.—Section 751 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008 (division A of Public Law 110-161; 121 Stat. 1883) is repealed.

(f) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect on March 15, 2008.

Mr. REID. Mr. President, there has been progress made on a farm bill. We can't leave here without doing a farm bill. I think it is something we need to do. We worked hard. We have agreed on how much money it is going to take. I had a meeting yesterday with Senator HARKIN and Senator BAUCUS on our side. They have had good working relationships with their counterparts, Senators GRASSLEY and CHAMBLISS. They are working well with their House counterparts. We have had a little setback because Chairman RANGEL has been hospitalized. We were hopeful that he would be out today. In fact, we had a meeting scheduled today. But he is not going to be back to work today. That has slowed us up a little bit. But we all look toward doing a farm bill. It is something we need to do, and we are going to work very hard on a bipartisan basis, which is the only way we can have a farm bill.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, let me add to the remarks of the majority leader that I, too, believe it is important to have a farm bill. It has been a challenging process, to say the least, for our negotiators, but they continue to make progress. I, too, am optimistic that we can get there. I think it is important to the country that we do get