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## House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, February 6, 2008, at 2 p.m.

## Senate

THURSDAY, JANUARY 31, 2008

The Senate met at 11 a.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

### PRAYER

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

Let us pray.

O Lord, as our lips are open in prayer, so may our hearts be open to receive Your holy spirit. Help us to bow to Your will and live lives devoted to Your providential leading.

Bless our Senators in their work. Let faith, hope, and love abound in their lives. Help them to seek to heal the hurt in our world and to be forces for harmony and goodness. Lord, remind them that they will be judged by their fruits and that You require them to be faithful. May they seek to serve rather than be served, following Your example of humility and sacrifice. Open their minds and give them a vision of the unlimited possibilities available to those who trust You as their guide.

We pray in the Name of Him who is our refuge from life's storms. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN 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 31, 2008.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHERROD BROWN, a Senator from the State of Ohio, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. BROWN thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

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

Mr. REID. Mr. President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

### RECOGNITION OF THE MAJORITY LEADER

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

### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the Senate go into a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, and that morning business is to occur following the statements of the majority leader and the Republican leader.

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

### SCHEDULE

Mr. REID. Mr. President, for the education of all Senators, we just completed a caucus, and the two issues before us are FISA, the Foreign Intelligence Act, of course—and I am disappointed that we don't have something we can sign off on for that, but we are very close. I have told the minority leader that for more than 24 hours, that we are very close, and I do think we are. If things go as I think they will—Senator BOND and Senator ROCKEFELLER have worked very hard—I think we can complete it in 1 day—a long day, maybe a 10- or 12-hour day, but I think we can do that.

Regarding the stimulus package, I have briefly explained to the Republican leader where I think we need to go. He needs to consult with his leadership and staff to determine how we get to where we both think this will wind up, but that decision will be made fairly quickly.

I do say that I think it is going to take me—as my colleagues know, all last year I had four Democratic Senators running for President. I wish

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



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they could all have been elected President, but only one can be, so two of them are out of that race now. I still have two Democratic Senators involved. As my colleagues know, next Tuesday is Super Tuesday, and they are both very busy, as is Senator MCCAIN. So I probably can't get them back here until Monday, but I do need them back. So the Republican leader understands that, and we will try to work something out today to give us a pathway to complete this stimulus package and FISA.

#### NFL PLAYERS CARE

Mr. REID. Mr. President, when my children were growing up, we had a rule that they accepted—they don't seem to complain now—where we didn't watch television on Sunday. It was just kind of a rule we put down. The television was on all the other times, but on Sunday we didn't watch TV, except on Super Bowl Sunday.

This coming Sunday is the 42nd Super Bowl. It is going to be in Phoenix, AZ. Now, whether this game is a nail-biter or a blowout, we will long remember the heroics of this game, whatever they might be. It might be a goal line stand. It won't be in subzero weather; it is in Phoenix. It may be a fourth-down Hail Mary pass that saves the day or it may be the player who suffers an injury in the first quarter but is able to limp back on the field and play through the pain and who will then be known as the man who led his team to victory even though he was injured. These heroes will, all of them, soak up the cheers of an adoring nation on Sunday.

But there are hundreds and hundreds of former National Football League players who no longer hear those cheers. Instead, they suffer great pain as a result of lifelong injuries from their days on the field. These are the stars of yore, the stars of the past.

Two people from Nevada whom I know are people who were injured playing professional football. These men draw pensions as a result of their injuries because they were modern-day football players. Henry Rolling—an outstanding athlete—went to my high school, basic high school, came out of high school 175 pounds, wound up being a 4-year All-American, University of Nevada, Reno, played in the pros for 9 or 10 years, and was injured. He has the benefit of all of the good things that come about from being a National Football League player.

Some of the players are legends. To me, Henry Rolling is a legend. Some are wealthy. Henry Rolling is a rich man now. He lives comfortably. But many others never hoisted a trophy or earned a spot in our memories. Many were faceless figures behind helmets, lost to history but for these yellowed photographs they show to their families, and maybe even some dusty highlight reels. They helped build a league but never earned much from their on-

the-field heroics. Often, they worked second jobs in the off season. So, far from basking in the kind of wealth we associate with the athletes of today, many are now struggling just to pay their bills and make ends meet for their families. But when they came to the National Football League's retirement plan to claim their disability benefits, they were told go someplace else: Go to our State and see what they have for you. The National Football League can't help. As wealthy as they are, they have turned these players away. The league to which they gave their hearts, souls, and bodies has not stood by their side.

In September, one of these former players who lives in Reno, NV, Brent Boyd, stopped in my office to visit with me to tell me about his struggles, which are the struggles of many former football players. He is a huge man, and he is not fat. When he played, he was 6 foot 3 and weighed 270 pounds. You couldn't see Brent without thinking: That guy must be a football player. He played football at UCLA and was drafted by the Minnesota Vikings.

Now, what do we know about the Minnesota Vikings? During his tenure there, they played football on AstroTurf. Brent explained to me it would be like playing a football game on cement covered with a rug. Every time he hit the pavement, he was hurt. That is the way it was with many of those players. He was an offensive lineman. During a preseason game in 1980, Brent remembers only waking up after being hit very hard. He had a terrible headache. He couldn't see out of one eye. His coach asked his rookie lineman whether he could see out of the other eye. He said yes.

He said go back into the game, so he went back in and he was blind in one eye. Brent did what was expected of him; played through his injury, as he played through many injuries. That was the culture of the sport and the NFL. That was one of countless hard hits Brent took during his playing days.

He told me:

How would you like playing football on cement? That's what we did.

That was what the old artificial playing surface was like. Every hit, when he went down and hit his head, even though he had a helmet on, he could feel it.

It wasn't until years later his doctors began to connect the dots and discovered his chronic dizziness, fatigue, depression, and headaches were a result of head injuries as a result of hit after hit that he took during his 6-year career.

I have talked about Henry Rolling, one of my Nevada heroes. I went to high school with a man by the name of Rupert Sendlein. He was a big man. He had a son who went to the University of Texas. He was an All-American, and he played professional football for 8 years. At the beginning of his ninth year, he went to his doctors and they

examined him. They said: Robin, you can't play football anymore. You have had so many concussions that you have to stop.

Well, Brent didn't have the ability to go to a doctor when he wanted. Robin Sendlein now is retired in Phoenix Arizona making a lot of money. His son now is the starting center at the University of Texas. Robin Sendlein had the benefit Brent Boyd didn't have.

Brent is unable to hold down a steady job. He doesn't think right. He went to the NFL retirement plan for help, but he was granted \$1,550 a month in disability payments—far below the \$8,200 promised to ex-players whose injuries resulted from football.

Brent told me of the struggle that ensued, many doctor visits, delays, denials, and financial troubles.

We all know football is a terribly dangerous sport. For those who earn millions, perhaps it is fair to say the reward is worth the risk. But Brent played in a different time. He never signed a big contract, never earned a shoe endorsement deal, never appeared in commercials.

Now he struggles to pay his bills. He struggles to pay his rent. Is Brent's story an exception? No.

Two football greats—Mike Ditka and Jerry Kramer—people whom those of us my age, and probably all ages, are familiar with. Mike Ditka and Jerry Kramer were gridiron greats. They helped create the fund to help retired players. They discovered heartbreaking stories from retired stars, including Willie Wood, a Hall of Fame safety. Willie Wood—I know about him because I was in high school with Bobby Peck. He was an athlete but not very tall. He was All-State in football, baseball, and basketball. He went to a junior college called Coalinga Junior College in California, which prepared people to go to USC and other great schools. I was stunned. Bobby Peck was not the starting quarterback. He was beaten out by a man by the name of Willie Wood. Athletically, Bobby had never been beaten out by anybody in anything. So he, the next year, went to Dixie Junior College in St. George, UT, where he became all-conference, and then he went to the University of Nevada. He was in a different league than Willie Wood, who went on to play quarterback at the University of Southern California.

As good as he was, Willie Wood figured he was good enough to play in the NFL. He tried out for the Green Bay Packers. Vince Lombardi said: OK, you can try out. Willie Wood became probably the greatest safety in the history of the National Football League. He has had many injuries. He weighed 175 pounds.

Others are Wilber Marshall, a three-time Pro Bowl linebacker; Conrad Dobler, a three-time Pro Bowl lineman; and Herb Adderley, an All-Big Ten star at Michigan State and star cornerback for the Green Bay Packers and Dallas Cowboys.