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Senate

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

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by guest Chaplain Rev. Steven N. Ailes, Main Street United Methodist Church, Peru, IN.

The guest Chaplain offered the following prayer:

Let us pray.

Gracious God, Lord of all that is good and beautiful and perfect, we come to pray for Your blessing upon this gathering of U.S. Senators. We ask for the guidance of Your holy spirit upon the work they do for this one Nation under God. We pray for Your inspiration in their hearts and minds and souls. We ask for Your grace in their work and deliberation, that this might be an extension of Your sustaining presence in our life together as citizens of heaven and of these United States of America.

While we pray for these elected representatives of our Nation, we remember the families and staff who are such an integral part of their service to our Nation and to the world. May all be touched by Your love and respect for all people; from all nations, in all conditions, in all Your creation.

O Holy God, be with us all in these moments, that our work may be directed by Your peace—a peace that surpasses mere human understanding and encompasses care and compassion for the entire world. May You lead these Your servants with a passion for justice and righteousness, wisdom and insight, mercy and love; with strength to do that which is right and honorable and in accord with Your holy way.

God, bless America, and may Your will be done in this gathering and in our lives. 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 5, 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 ACTING MAJORITY LEADER

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

Mr. DURBIN. Mr. President, it is my understanding the Senator from Indiana wishes to comment on the chaplain who is kind enough to join us today. I yield to him for that purpose.

The ACTING PRESIDENT pro tempore. The Senator from Indiana is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. LUGAR. Mr. President, I thank my distinguished colleague.

It is a special privilege to see the Senate open with a prayer today by

Rev. Steven Ailes from Peru, IN. Reverend Ailes has served in seven churches in Indiana. He is a civic leader in Peru as president of the Rotary Club and has been the chairman and a member of many foundations. He has brought students to this Capitol from Peru, IN, with regularity.

I have known Reverend Ailes well because of his son Justin who is a distinguished graduate of the University of Indianapolis and who came onto my staff and served for many years as a very able public servant. It has been a privilege to be reunited this morning with Justin and with his dad.

Let me say that Reverend Ailes is a genuine Hoosier, born in Valparaiso, IN. He completed his undergraduate degrees at Lawrence University in Appleton, WI, but came back to Ball State and has served there likewise in addition to these distinguished churches in our State.

I thank the Chair for allowing me to make this special word of greeting and commendation to a very distinguished pastor and a very dear friend. I thank the Chair.

ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in the place of our leader, Senator REID, who couldn't be with us this morning.

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

SCHEDULE

Mr. DURBIN. Mr. President, today following my remarks and the remarks of Senator MCCONNELL, there will be a period of morning business for up to 2 hours with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees. The Republicans will control the first 30 minutes and the majority

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



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will control the next 30 minutes. Following morning business, the Senate will resume consideration of S. 3044, the Consumer First Energy Act.

Last night cloture was filed on the Boxer substitute amendment to the climate change legislation. Under rule XXII, there is a 1 p.m. filing deadline for first-degree amendments to the Boxer substitute No. 4825. The cloture vote is scheduled to occur tomorrow morning—Friday morning.

At 4 o'clock this afternoon, there will be up to 1 hour for debate on the farm bill, H.R. 6124, prior to a vote. Under an agreement reached last night, Senator DEMINT will control 30 minutes; Senator COBURN, 20 minutes; and Senators HARKIN and CHAMBLISS will control a total of 10 minutes. Therefore, the vote on passage of the farm bill will begin around 5 p.m. today.

MEASURE PLACED ON THE CALENDAR—H.R. 6049

Mr. DURBIN. Mr. President, I understand that H.R. 6049 is at the desk and due for a second reading.

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

The legislative clerk read as follows:

A bill (H.R. 6049) to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes.

Mr. DURBIN. Mr. President, I now object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

ELECTED TO LEAD

Mr. DURBIN. Mr. President, let me say that at this moment we are on Thursday of this workweek with the possibility and likelihood of a cloture vote tomorrow morning in the Senate. If one looks at the business of the Senate this week, it is a good thing we are not being paid for piecemeal because we have done so little.

We had an initial motion to go to this climate security bill, which is an important piece of legislation. That was considered early in the week, and then a second measure, which was very brief, on adopting a budget—an important document but one that had already been debated at length many times in this Chamber. We burned 30 hours off the clock in what was requested for a general debate. That, of course, took place, and it was a good debate: a bipartisan effort to explain an important bill involving global warming and carbon pollution which is changing the world we live in.

Then a request was made yesterday by the Republican leader that this bill, the Climate Security Act, be read in its entirety into the RECORD. So for 8

hours, our staff had to stand and read every word of this bill into the RECORD. This bill—the substitute—had been available for days and the concepts behind it for weeks. There was no element of surprise, no necessity for this reading, other than to burn off an entire day in the Senate where little or nothing was accomplished. Now we face virtually the same thing again.

Although 89 percent of the people in America say that global warming is an important issue that should be addressed by the Senate, this week there have been repeated efforts to make sure we never reach that point. Those who oppose this bill should stand and vote accordingly. Those who have amendments should bring them forward. We are still waiting for a list of amendments to the global warming bill from the Republican side. We have given them a list of our amendments, including a bipartisan amendment offered by Senator LUGAR, who just spoke on the floor, and Senator BIDEN. We have tried to engage the minority in a debate on this critically important bill, but instead, they have engaged in delay tactics, including 8 hours wasted in the Senate yesterday reading this bill in its entirety.

We finally adjourned at about 12:15 a.m. this morning to return today. I guess it is the intention of the Republicans to stop us from considering the global warming issue, but that will not stop the dangers being created by global warming in the United States and around the world. If we are truly elected to lead, I cannot understand why the Republican minority will not engage us in a meaningful and honest debate about this bill. That is why we are here. We should be voting on amendments, testing different theories and policies to see what the majority feels in the Senate, but instead, we are caught up in this exercise: 8 hours of reading this bill—a tremendous waste of time and energy that the Senate should have put to more productive purposes.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

JUDICIAL NOMINATIONS

Mr. MCCONNELL. Mr. President, since the substitute amendment by Senator BOXER was just given to us at 11 o'clock in the morning, you could argue—almost with a straight face—that reading the proposal was a good idea, but, of course, that was not what it was about. It was somewhat similar to when Senator REID, the now-majority leader, used 9 hours reading chapters from his book back in 2003. In a 9-hour filibuster over judicial nominations, on November 19, 2003, Democratic leader HARRY REID discoursed on

the virtues of wooden matches and read chapters from his book about his hometown: "Searchlight: The Camp That Didn't Fail." That was a 9-hour recitation from a book that our good friend the majority leader engaged in on the very subject of judicial confirmations.

Yesterday's tactic of slowing down the Senate obviously is not unique. It was not, however, about trying to confirm a few district court nominations which the majority begrudgingly agreed to last night around 12:00 or 12:30. Rather, it was about the importance of keeping one's word in this body, whether it be a commitment to meet the total number of circuit court confirmations that have occurred in prior Congresses—and we are familiar with what that commitment was; it was to do 17 during this Congress, which has been repeated time and time again; everybody knows what the commitment was—or a commitment to confirm a specific number of circuit court nominations by a specific time; and that was the commitment made back in May by my good friend the majority leader, that we would do three circuit court nominations before the Memorial Day recess. In fact, we did one. Keeping one's word in this body is important.

We are far behind the pace that is necessary for us to reach the goal the majority leader and I set for this Congress. If that weren't troubling enough, what we heard recently by the chairman of the Judiciary Committee are threats to shut down the confirmation process completely. Stop it already. Surely, that is not his plan. So be assured the Republican Conference will continue to make the point that judicial nominations need to be treated fairly and that commitments need to be kept, and we will use the tools available to the minority to do so until that proves to be the case. This is not over, I assure you.

CLIMATE SECURITY ACT

Mr. MCCONNELL. Mr. President, the majority leader said recently that global warming was "the most important issue facing the world today." Let me repeat that: the most important issue affecting the world today. And nearly three-fourths of the Senate thought it was important enough to have a debate on the Senate floor. Seventy-four Senators voted to bring this measure to the floor for debate because they recognized the significance of this issue. Yet the majority is blocking fair consideration.

Instead of allowing a full debate with an open amendment process designed to improve the bill, the majority last night filled the tree. What are they afraid of? Why don't they want to consider amendments to a bill addressing what they call "the most important issue facing the world today"? If it is the most important issue facing the world today, it certainly deserves a lot longer debate than a few days.