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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 14, 2008, at 12.30 p.m.

## Senate

FRIDAY, JULY 11, 2008

The Senate met at 3:30 p.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.

God most high, Your faithfulness endures through all generations. You desire truth and justice, and You are true to Your promises. Hear our prayer.

Let Your presence be felt today on Capitol Hill. Open the hearts of our lawmakers to the guidance of Your spirit as you empower them to serve with faithfulness. Lord, dwell in them and those who support their labors, making them fruitful for the glory of Your Name. May they hear Your call to rise and follow where You lead as you inspire them to be obedient to Your perfect will. Give them patience with those who oppose them, and may they trust in Your perfect love which never fails.

We pray in Your glorious Name. 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 11, 2008.

To the Senate:

Under the provisions of rule 1, 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 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.

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. REID. Mr. President, following any remarks Senator MCCONNELL and I may make, we will resume the motion to disagree to the House amendments with respect to H.R. 3221, the housing reform legislation. At approximately 5:20 p.m., the 30-hour postcloture debate time will run out and the Senate will proceed to a rollcall vote on the motion to disagree. Immediately fol-

lowing that vote, the Senate will proceed to a cloture vote on the motion to proceed to S. 2731, the global HIV/AIDS legislation.

### MEASURE PLACED ON THE CALENDAR—S. 3236

Mr. REID. Mr. President, S. 3236 is at the desk, and it is my understanding it is now due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 3236) to amend titles XVIII and XIX of the Social Security Act to extend provisions under the Medicaid programs, and for other purposes.

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

Mr. REID. Mr. President, at this time, I object to any further proceedings with regard to this bill.

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

### REPUBLICAN DELAY TACTICS

Mr. REID. Mr. President, I think it is important to let all Senators know that we worked very hard, late into the night, with significant members of the Senate staff. We worked very hard. In fact, I got home a little bit after midnight this morning, as did others.

We are going to have a couple of votes this evening. The first vote we are going to take is our housing bill, a bill that would help families struggling

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



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to keep their homes and families struggling with the foreclosure crisis—and it is a crisis. The second piece of legislation we are going to vote on is called PEPFAR, an initiative introduced by President Bush in 2003 to confront the crisis in Africa, the continent-wide problem we have dealing with HIV/AIDS, where 8,000 people are dying from AIDS every day on that continent. That is a death toll that doesn't take vacations. They are dying today and they are dying tomorrow. It is a weekend, but that doesn't matter; holidays are not a day off. People continue to die. That is what this legislation is about, to try to stem the tide of this scourge which has swept that continent.

Both these bills, the housing bill and the AIDS bill, rightfully have the support of virtually all Democrats and a significant number of Republicans. Both these bills could have long since been passed and sent to the President's desk and we could have been on other important priorities, such as the energy crisis. I say that with regard to housing. I say that with regard to the legislation I talked about dealing with PEPFAR. They both could have been passed a long time ago.

We now have a situation—I am looking for a chart here. I don't know what happened to it. I would say there is a hunt going on in the cloakroom for our chart. We have a few stacked back there. Maybe one of the Republican staff stole it.

I don't know what happened to it, but let's pretend I have a chart here that says "82 Republican filibusters." Remember, this is our Velcro chart, and you can just peel off the numbers. Here is what we have. We have the Velcro pieces but no chart.

Let's just pretend we have a great big white chart here and the Velcro. See my Velcro? Just pop it on here. It doesn't work. It won't work—well, it is working. It looked a lot better when we had our chart before. Somebody swiped it.

We started in the 50s, and they keep adding up, and now it is 82. Every one of those filibusters has taken huge amounts of time from the Senate. After cloture is invoked, under the rules of the Senate you have 30 hours where basically you can do nothing except wait for the 30 hours to go by with a few speeches. Think about it, 82 times 30—sometimes the 30 hours wasn't used, but most of the time it was in an effort to obstruct and delay. That is what we have had in the housing bill, and that is what is happening now on this global AIDS piece of legislation.

It is a small number of people holding up these matters, but it is still the Republicans holding them up. Because of the obstructionism we had on these two matters last night, we worked, as I indicated, until midnight. We thought we had an agreement worked out which would have allowed us to proceed, but one Senator prevented us from doing

this. Because of that, our bipartisan negotiations late into the night were all for nothing.

Today, we must hold an unnecessary set of votes that could have been agreed to by unanimous consent. No Senator is complaining because we have to be here on Friday. We work when we have to work. But it is just a question of what we should be doing while we are here. We could have been doing other things, but we are here today. We are going to vote on a couple of votes that are unnecessary. We could have been doing other things. We could have spent the time constructively, as I indicated, on other matters.

It is interesting to note that the Senator who has held this up and other Republican Senators—they have been coming to the floor all week criticizing the Senate for not moving to address the energy crisis. But one reason we are not moving forward on a lot of other things, including the energy crisis facing this country, is because we have been held up on so many different bills.

Everyone should know that this is a record that has broken any other time in the history of our country. This is filibuster on steroids. This is the Flo-Jo of filibusters—the great runner. She broke all records. We are breaking all records. If the American people wonder why Congress has not passed yet another piece of legislation to help ease the energy crisis, the housing crisis, and the many other problems facing this country, they need look no further than this number 82, right here. If anyone wonders why the American people are frustrated with Congress, all they need to do is look at the number 82.

Despite these setbacks, this has been a productive week in the Senate. Since the filibusters—plural—have started on the housing legislation, there have been about 130,000 new foreclosures filed. Every legal workday, usually Monday through Friday when the courthouses are open, people are filing 8,500 new foreclosures on homes around the country. That is a lot of foreclosures. We should have worked on this housing bill long ago, and we tried to, but we were held up by the Republican filibusters. We have legislation we are going to vote on this afternoon at 5:20 that will help struggling homeowners and prevent conditions that led to the foreclosure crisis happening in the first place. So we have done that.

Here, Wednesday afternoon, a vote started at 4 o'clock, one of the most historic times in the history of this institution, one of the most historic times in the 230 years-plus of our country being in existence. What was that? We, America, have a lot of wonderful programs. The most successful social program in the history of the world is Social Security, a program that helps those in their golden years with an old-age pension check. Social Security helps the disabled, it helps widows, it helps orphans. It is a wonderful program—that President Bush wanted to

privatize. Think about that. Had we been unsuccessful in stopping his privatization, how do you think Social Security recipients would feel today with the stock market going down, down, down? It would have been a terrible decision for the American people.

The other program the President doesn't like is Medicare. Medicare is not a program as successful as Social Security. It is an imperfect program, but it is a good program. It is a program I have seen in my political life. My first elected political job was chairman of the board of trustees of Southern Nevada Memorial Hospital. When I took that job, 40 percent of the seniors who were admitted to that hospital had no way of paying their bill. When I left, Medicare had come into being, and 100 percent of the people who were old, coming to that hospital, had their health insurance taken care of through Medicare. It is an imperfect but good program. President Bush does not like the program. He has tried to privatize it.

What happened Wednesday afternoon at 4 o'clock? The program was saved. The program was saved by virtue of a courageous man named TED KENNEDY who got out of his sickbed, literally, to come here and cast the deciding vote. His was the 60th vote that allowed us to move forward and, I repeat, save Social Security.

Senator KENNEDY was a Senator when Medicare came into existence. He said that he would not let it fail, even though we all know it was very dangerous to him, from a health perspective, to fly from Boston down here and then have to fly back after the vote was cast.

But it was a productive week, because not only did he cast the vote that made passage of the bill, but as a result of that, courageous Republicans, realizing he had done what had not been done, stepped forward and said, you know, the President has done enough. We have backed him long enough. We are going to vote the right way.

So we had the original nine, plus nine more. We had 18 Republicans, far more than enough to override a Presidential veto. I hope the President does not veto this bill. I hope he does not. But I am grateful to Senator KENNEDY, as are all the American people. We have rules. It is against Senate rules for the people in Galleries to clap. No one could stop them. No one could stop Senators from clapping, cheering, and crying for the act Senator KENNEDY performed.

So we did that. We are going to, this afternoon, pass the housing bill and send it back to the House. We also completed FISA legislation. I did not agree with the result, but it was an accomplishment for this body to finally work its way through all the problems we had procedurally to get that complete.

Now, I would hope with the Medicare bill being saved by Senator KENNEDY,

President Bush does not veto that. Every day that goes by that he does not sign that bill, people in America are suffering. They are suffering because doctors are going to drop out of the system. As we know, patients will not be taken care of, veterans, whose funding and reimbursement is based upon Medicare, who are part of the TRICARE system, about 8 million servicemen and their families, are being denied those benefits.

So the President should not do this simply because he wants to privatize Medicare. He is not going to win; he is going to lose that battle. So why does he want to do that? We had 355 votes in the House, 69 in the Senate, enough to override the veto. So I call upon the President to not veto this bill; sign it so we can get this worked out, and we will end this situation once and for all.

We have talked about the global AIDS bill. We are moving ahead with this legislation. It continues the support for America's efforts to join the world community in fighting against this disaster we have on that continent, global HIV/AIDS, which is so pronounced in that continent.

President Bush has worked with Democrats and Republicans to help get this legislation passed, over the objections last night of one person, perhaps a small handful urging this one man on. Despite that, I am confident we are going to pass this legislation.

I should mention how glad my fellow Democrats and I were to have our nominee for President here to cast a vote on these important bills. Senator OBAMA understood the importance of the Medicare legislation, and he stepped down here and voted. But for him we would not have had the necessary votes to pass this. He was also here when the GI bill of rights came up, landmark legislation, repaying our valiant troops who fought in Iraq and Afghanistan and deserve the same rights to be educated as those World War II veterans.

Senator BARACK OBAMA was here to vote on that. On the FISA legislation, the Foreign Intelligence Surveillance Act legislation, BARACK OBAMA cast his vote on that legislation. JOHN MCCAIN did not.

The American people should also know that despite the delay tactics we have seen this week that have kept us from a debate on energy, Democrats and most all Senators, Democrats and Republicans, are committed to addressing the energy crisis with both long- and short-term solutions.

This is not a Democratic or Republican issue. We all acknowledge much needs to be done. Last night I held a meeting a few feet out of this Senate Chamber. I had a productive meeting—We had former Senator Jim Sasser, who was conducting the meeting—Senator Sasser of Tennessee, chairman of the Budget Committee, subcommittee chairman of Appropriations, subcommittee chair on Banking, one of America's great Senators. He was an

Ambassador to China when his Senate career came to an end.

He was there as a moderator. We had the director of Global Oil Group—the Yergin Group. He has written books on the situation with petroleum around the world. We had the chief executive officer of United Airlines. Keep in mind, this man has been president of Texaco, the vice chairman of Chevron, and now the chief executive officer of United. If anyone should have an understanding of what is going on with our energy markets, our business community, he should. He was tremendous in outlining this information for us.

We had the head of global commodities at JPMorgan, the portfolio manager of Masters Capital Management, the CEO of NYMEX, and a professor at the University of Maryland School of Law. His expertise is in this area. It was a very good meeting. It lasted a long time.

The group strongly agreed we must take steps to stem speculation in energy prices. Is speculation the only problem? Of course not. But is speculation a problem? Of course it is. This group agreed that speculators drive up prices for their own gain, while the American people are left feeling the pain.

It was agreed that now is the appropriate time for President Bush to draw oil out of the Strategic Petroleum Reserve, as his father did. It was also agreed we must increase domestic oil production in the 68 million acres of land that oil companies currently lease but are not using.

The group agreed that any oil drilled in America should be sold to the America marketplace, not to China, Japan, India, as is currently happening. By the way, when there was a vote on this, Senator MCCAIN voted that it was not necessary, that American oil produced be used by Americans. He, by his vote, indicated it could be used in other countries. We disagree. The group disagreed last night.

So we need to take steps curtailing energy speculation, we need to tap the Strategic Petroleum Reserve, we need to increase the supply in the 68 million leased but unused acres in America, and earmarking domestic oil for American consumers.

We also agreed last night that combined with increased and sustained investment in clean alternative fuel sources, the wind, the Sun and geothermal, we will create hundreds of thousands of new jobs, will strengthen the economy and improve our environment.

If we do all of these, will we solve all the energy problems? Of course not. But we will have a significantly strong step in that direction. That is our roadmap for going forward. We hope both the Republican leader and his caucus will work with us to reject obstruction and embrace the progress that the American people deserve.

I yield the floor.

## AMERICAN HOUSING RESCUE AND FORECLOSURE PREVENTION ACT OF 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to disagree to the two amendments of the House which the clerk will report.

The legislative clerk read as follows:

A message from the House of Representatives to accompany H.R. 3221, an act to provide needed housing reform, and for other purposes.

The ACTING PRESIDENT pro tempore. The senior Senator from Wyoming is recognized.

Mr. LEVIN. Would the Senator from Wyoming yield for a unanimous consent request?

Mr. ENZI. I would.

Mr. LEVIN. Mr. President, I ask unanimous consent that after the Senator from Wyoming concludes his remarks that I be recognized.

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

### AIDS RELIEF

Mr. ENZI. Mr. President, I have been waiting to speak and listening to the Senate leader. I have to say, I am a little disappointed. In the 20 minutes' worth of remarks, I did not hear anything that would bring the two sides together. Instead, I saw wedges being driven in there. This is not the time when we need wedges. That is the reason the public opinion of Congress is at an alltime low. There are things we need to get together on. That is one of the things I am going to talk about now.

I rise to express my support for the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.

That is a mouthful, so we are referring to it as PEPFAR, which stands for the President's Emergency Plan for AIDS Relief, which is something we passed several years ago that has made a significant difference in the world. Simply put, this legislation is proof of the fact that the United States continues to put its money where its mouth is on all these terrible diseases; that is, leading the best way by example. By so doing, we are encouraging other countries to do their part and help to ease the devastating toll of these diseases on the less fortunate.

In 2003, the Congress passed and the President signed into law the first global AIDS bill. I remember when the President addressed us in the State of the Union speech that year and announced he wanted \$15 billion to go into solving the AIDS problem worldwide. I think it was actually a shock on both sides of the aisle. But we went to work and we worked together and we got a plan that has been in effect.

We made an aggressive commitment to work with other governments to help them take action and to try to