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Senate

The Senate met at 10 a.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Eternal Spirit, whose inward fellowship means cleansing, forgiveness, peace, and power, dissolve the barriers that keep our lawmakers from You. Take away the barrier of self-sufficiency that tempts them to live independent of Your will. Remove the obstacle of spiritual blindness that makes them unaware of invisible and eternal resources. Take them over the hurdle of compromise that prompts them to deviate from integrity and to forget that You are the only constituent they must please. Give them the grace of receptive hearts and humble dependence on You. Lord, continue to fill this Senate Chamber with Your presence, empowering Senators to listen to Your voice before they speak and then to speak with the echo of Your wisdom.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BLANCHE L. LINCOLN 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, July 17, 2008.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

Mrs. LINCOLN 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—Madam President, following leader remarks, there will be a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each. The Republicans will control the first 30 minutes, the majority will control the next 30 minutes.

Following morning business, the Senate will resume consideration of the motion to proceed to S. 3268, the Stop Excessive Energy Speculation Act.

We have a number of issues we wish to talk about for a short time this morning. First, this gas crisis is really a crisis. If someone in Las Vegas, for example, becomes concerned, as many people are, about how much it costs to drive to work every day, there are things that can be done. Maybe they can carpool, maybe there is public transportation. At least there are some alternatives. If you live in rural Nevada, the problem becomes a little more difficult, because you have to drive such long distances. But there are ways that extra travel can be avoided. If you are a mother or father, taking children to soccer games or bas-

ketball games, there is a way you can avoid that by going with your neighbor, by working out arrangements so more than one family goes in a car.

But if you are a senior citizen on a fixed income, and you see winter approaching, there are no alternatives. The alternatives are very bleak. If you cannot afford the fuel in your tank or heating oil in the Northeast, it is very difficult. You are subject to freezing and getting sick. That is why we have to do something with LIHEAP.

I have had Democrats and I have had Republicans come to me: When are you going to do something on LIHEAP? So I have a couple of unanimous consents I am going ask on LIHEAP.

UNANIMOUS-CONSENT REQUESTS— S. 3186

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 835, S. 3186, a bill to provide for the Low-Income Home Energy Assistance Program; that the bill be read three times, passed, and the motion to reconsider be laid on the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. I now ask unanimous consent that the Senate proceed to Calendar No. 835, S. 3186, a bill to provide for the Low-Income Home Energy Assistance Program, at a time to be determined by the majority leader, following consultation with the Republican leader, and that when the bill is considered, only six germane first-degree amendments be in order to the bill, three amendments from each side, and that they be subject to second-degree amendments that are germane to the first-degree to which offered; that upon the disposition of all amendments, the bill be read a third time, and the Senate then vote on passage of

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



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the bill; that upon passage of the bill, the bill be held at the desk.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Madam President, reserving the right to object, our side thinks it is imperative that we move to lower gas prices, so I object to the unanimous-consent request.

The ACTING PRESIDENT pro tempore. Objection is heard.

STOP EXCESSIVE SPECULATION ACT OF 2008—MOTION TO PROCEED

Mr. REID. I now ask unanimous consent that the Senate proceed to Calendar No. 882, S. 3268, the gas speculation bill, at a time to be determined by the majority leader, following consultation with the Republican leader.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Reserving the right to object, I understand the distinguished majority leader and the distinguished Republican leader are going to be discussing a process by which amendments might be allowed to this important piece of legislation. Therefore, pending resolution of that, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. I certainly understand that.

I now move to proceed to Calendar No. 882, S. 3268.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (S. 3268) to amend the Commodities Exchange Act to prevent excessive speculation with respect to energy commodities, and for other purposes.

Mr. REID. Madam President, I hope matters can be arranged today so we can move to this without having to try to invoke cloture again. This would be the 83rd or 84th time we would have to do that. I hope we can work something out.

I have said, I say again today: Is speculation the only problem with high gas prices? No. But it is a problem. Everyone acknowledges that. That is evidenced by the fact that the Republican part of the energy package has a provision in there dealing with speculation. So I hope if the Republicans, when they look at the speculation bill that we have introduced, if there is a way that can be changed, we will be happy to work with them.

I would be happy to continue discussions with the minority to determine how we can proceed through this to see what amendments need to be offered.

One of the things I want to make sure everyone understands, I have been obviously here a long time, more than a quarter of a century. And during my tenure here in the Senate, it has always been, with rare exception, when we get to a bill, whether you have a Republican majority leader or a Democratic majority leader, you find out what amendments people are inter-

ested in offering and take a look at those amendments. We look at theirs, they look at ours. This does not mean you have to approve or disapprove of the amendments. But there needs to be an idea to find out if this is worth the time of the majority or minority in entering into this debate.

So I hope we can work out something. It is extremely important that we do something on speculation and other issues relating to energy, because it is a problem.

Madam President, I am so sorry, these scripts are prepared and sometimes I do not look up to see—on our side we have 11 women now in the Senate.

I commented to my wife today, now in our family we do not do “short” jokes, about people being short, because my wife is 5 feet tall, I have a son who is 5 feet 2 inches, and a boy who is 6 feet 2 inches. And we do not do short jokes.

We were very busy here yesterday, and I looked to the back of the Chamber, and there were PATTY MURRAY and BARBARA BOXER, both about 5 feet tall, back there talking, I am sure scheming as to what they were going to do to get something done.

This place has changed so much in the years I have been in the Senate. When I came here, we had BARBARA MIKULSKI. Now, of course, we have, just on the Democratic side alone, 11 Democratic Senators who are women. And without any qualifications, this Senate is such a much better place because of women.

Men and women are different. They have, at least in my opinion, different thought processes and they have different abilities. So, anyway, I am sorry if I referred to the Chair as “Mr. President” when I know that the Senator from Arkansas is one of the fine Members of Congress, having served in the House and in the Senate, and what a pleasure it is to work with her.

UNANIMOUS-CONSENT REQUEST— EXECUTIVE CALENDAR

Mr. REID. Madam President, as if in executive session, I ask unanimous consent that on Thursday, July 17, that is today, at a time to be determined by the majority leader, following consultation with the Republican leader, the Senate proceed to executive session and consider the following nominations: Calendar Nos. 687 and 688; that there be 60 minutes of debate to run concurrently on both nominations, with the time equally divided and controlled between Senator LEAHY and Senator SPECTER or their designees, with Senator SCHUMER controlling the chairman's time; that upon the use or yielding back of that time, the Senate proceed to vote on confirmation of Calendar No. 687; that upon the confirmation of Calendar No. 687, the Senate then proceed to vote on confirmation of Calendar No. 688; that upon confirmation of the nominations, the mo-

tions to reconsider be laid upon the table, en bloc, the President be immediately notified of the Senate's action, there be no further motions in order, and the Senate resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Madam President, reserving the right to object, the ranking member, Senator SPECTER, wishes a block of time for Senators to speak. He would agree if the distinguished majority leader would agree to modify his unanimous-consent request. Senator SPECTER would agree to debate from noon to 3:00 today with the votes to follow.

Mr. REID. Madam President, I am not going to agree to that modification; I will tell you why.

Mr. CORNYN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Madam President, the hue and cry of the Republicans is that we do more judges. We wanted to do more judges. I say to my friend, the ranking member of the Judiciary Committee, we have lots of time on the floor. The American public sees it all the time, where we are in quorum calls. Anytime we are in a quorum call, with rare exception, Senators can come and ask that it be called off and proceed to speak for as long as they want.

We have a number of things we need to do today. There is going to be a conversation on energy. And I recognize there are some problems with the economy. Housing is a difficult problem. Energy is a difficult problem, as are gas prices and global warming, education. But I am telling you, I cannot ever remember going home and someone coming up to me and saying: Could you guys do some more judges? We need to take care of this judges problem.

As Senator Lott said when he was the majority leader, and I am repeating my friend Senator Lott's statement: Frankly, judges are not a big issue as it relates to the other problems we are facing here in America today.

So I say, if the ranking member of the Judiciary Committee wants to come and talk for 3 hours, he can do it on his own time. There is lots of time here. We have made an offer giving reasonable time to confirm two judges, and we are happy to do that. An hour is certainly more time than is normally taken. And if Senator SPECTER wants to come and talk about the plight of the American judiciary system, he can do that, but I wish to get these two judges approved.

If they are not going to agree to that, we are not going to do the judges. It is the Republicans' call.

RESERVATION OF LEADER TIME

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