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## Senate

(Legislative day of Wednesday, July 23, 2008)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable KEN SALAZAR, a Senator from the State of Colorado.

### PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by guest Chaplain Rev. Willie C. Barnes from Macedonia Missionary Baptist Church in Eatonville, FL.

The guest Chaplain offered the following prayer:

Let us pray.

O Lord our God, how excellent is thy Name in all the Earth.

We come today to give You thanks for Your excellent greatness throughout this country, the United States of America. We acknowledge You, O God, for Your wonderful attributes of omnipotence, omniscience, and omnipresence.

As we assemble in this august body, it is our prayer that You restore Your blessings upon the Commander in Chief of these United States, President George W. Bush. Give him wisdom to execute the many responsibilities he is confronted with for the sake and safety of this Nation. Bless his family with health and prosperity.

Then, Lord, for this branch of Government, the Senate, it is our prayer that each Member of this great body may be gifted with the acumen to make decisions that will reflect the principles and morals of this great Nation. For every dilemma, please provide the answer through these men and women You have ordained to satisfy the needs of the millions of people they represent. As this Senate debates the issues at hand, let every voice that desires to be heard speak with clarity, with honesty, and profoundness in such a way that the democratic process of this Government be made with peace from every representative.

We ask that You would bless the men and women of the armed services who serve this country so bravely. Bless their families and loved ones with comfort.

We pray this day that Your guidance will revive, restore, and refresh in these arduous times; that the towns and cities and States of our country may give help and the hope so needed today. There is an answer, O God, from You. We need You for reasoning for families, for businesses, for schools, and faith-based institutions, that the future prosperity of the United States may be well even to the benefit of the needs of this world.

Please forgive us for erroneous infringements that have resulted in ill will toward our families and neighbors alike. Help us, dear God, to appreciate You for our daily necessities, and help us to realize that our sufficiency comes only through You.

Now unto Him who is able to do exceedingly abundantly above all that we can ask or think, according to the power that worketh in us, unto Him be glory throughout the world without end.

In the Name of God the father, God the son, Jesus Christ our Lord, and the Holy Spirit, we pray. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable KEN SALAZAR 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 24, 2008.

To the Senate:

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

ROBERT C. BYRD,  
President pro tempore.

Mr. SALAZAR 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, following leader remarks, the Senate will resume consideration of the motion to proceed to S. 3186, the Low-Income Home Energy Assistance Program.

I ask unanimous consent that following leader time, the time until 10:30 be equally divided and controlled between the two leaders or their designees.

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

Mr. REID. As previously agreed to, the time from 10:30 until 5:30 will be equally divided and controlled by the leaders in 30-minute alternating blocks, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

As a reminder to all Senators, there will be a moment of silence at 3:40 p.m. today in remembrance of Officers Gibson and Chestnut. They were murdered

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



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10 years ago today in the Capitol. All Senators are encouraged to be on the floor for this moment of silence.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, it is my understanding and I ask unanimous consent that the Senator from Florida, Mr. NELSON, be recognized to make remarks regarding our guest Chaplain.

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

The Senator from Florida is recognized.

#### WELCOMING THE GUEST CHAPLAIN

Mr. NELSON of Florida. Mr. President, it has been some time, with great anticipation and joy, that I have extended an invitation for Rev. Willie C. Barnes of Eatonville, FL, to come and be with us as the guest Chaplain for the day. Reverend Barnes's church in the historically Black town of Eatonville is a very large church. It is a church that ministers to the entire Orlando metropolitan area. They do it not only with the excellence and the soaring oratory of Reverend Barnes himself but with an outreach to the community, with projects to help the least of these, our brothers and sisters.

It is with great appreciation and humility that I recognize the accomplishments of that church and am so glad to have its pastor, a man who, with a twinkle in my eye, I call my pastor, come and be with us here in our Senate family today.

The ACTING PRESIDENT pro tempore. The majority leader.

#### ENERGY CRISIS

Mr. REID. Mr. President, it appears that our Republican colleagues think they finally found a way. They think, with Americans from coast to coast facing huge gas prices, up to \$4.70 a gallon in some places, they can score some easy political points off the energy crisis. They say that all we need to do is open our coasts for oil companies to drill and gas prices will go down. I should say that is what they did say. Now they say that is not enough. They say the energy crisis is so important that the Senate should stay on the issue and do nothing else until this problem is solved. We all know actions speak louder than words, and the Republican rhetoric has no basis in reality.

This is not the first time Democrats have tried to address energy. We have tried on many other occasions. We have worked to try to lower gas prices before this latest energy crisis hit. In fact, Democrats have proposed plans to lower gas prices six times in the past few weeks. Six times, Republicans have blocked us, just as they are blocking us now on the speculation legislation.

What has happened over those weeks? Gas prices have broken one record after another.

Democrats proposed legislation to extend tax credits for innovators who are researching and producing clean, renewable energy to decrease our consumption of oil. Republicans said no. Democrats proposed legislation to roll back tax breaks on the oil companies—remember, last year they made \$250 billion, oil companies that are making record profits while we pay record prices—and invest that money in renewable energy. But the Republicans said no. Democrats proposed a cap-and-trade system that would address global warming and provide billions of dollars of alternative energy and create hundreds of thousands of jobs. Republicans said no. Democrats proposed legislation to protect consumers from price gouging of already record-high prices. Republicans, of course, said no, because this would have been an opportunity to have the oil companies pay back some of the obscene profits they are making. Democrats proposed a renewable electricity standard which would save consumers billions of dollars through energy savings. Republicans said no. Democrats proposed legislation to go after OPEC for collusion and price fixing. But the Republicans said no. Democrats proposed legislation that would curb the excessive speculation of Wall Street traders who artificially bid up the price we pay at the pump. Republicans said no. Democrats proposed improvements to the LIHEAP program which helps senior citizens and the disabled with assistance to pay the cost of heating and cooling their homes. Republicans said no. Democrats even offered the one thing they have been talking about: drilling. Let's vote on drilling. But the Republicans said no. They didn't take our offer, yet they claim it is the panacea for the problems facing America today. They said no.

The game they seem to be playing is this: Make the American people think they are willing to grind the Senate to a halt to deal with gas prices. The American people obviously can see the record.

Republicans are having trouble finding out what they really want. Yesterday, out of the blue, came a new one. After all these years, they decided they wanted to drill in ANWR again, even though their Presidential nominee, JOHN MCCAIN, has said no on the drilling they have said they want to do. Maybe the one reason they have been a little hesitant is because their Presidential nominee, JOHN MCCAIN, has said it is only psychological; it is not going to help anything.

The American people can see the record. We have tried. Democrats have offered a comprehensive set of solutions for the short- and long-term, and Republicans have offered nothing but talk. They have talked more about drilling. What they don't say is that their drilling bill wouldn't put a drop

of oil in the marketplace for at least 12 to 15 years. Even the Republican nominee for President, JOHN MCCAIN, has called the Republican drilling plan purely psychological. Democrats believe in increased domestic production through responsible drilling, but the American people deserve solutions a lot quicker than 12 to 15 years.

If Republicans truly believe their drilling legislation would solve the problem, why would they say no to an offer to have a vote on it? It doesn't add up. Or maybe it does add up.

Fortunately, the American people are seeing clearly exactly what is going on. That is why a moderate columnist like David Broder today said that he has never seen a worse month for a Presidential candidate than what we have seen with JOHN MCCAIN this past month.

It appears there is a lot of desperation going on here. While the Republicans keep talking—we have three filibusters going on as we speak—Democrats are trying to address a critical problem the American people are facing every day. Republican strategists have called the disingenuous Republican strategy a Hail Mary for the fall elections. Perhaps a 2-year Republican strategy of nonstop delay, obstruction, and slow-walking has put them in such electoral peril that a Hail Mary is all they have left. Their strategy is bad for the American people. I have no doubt that the American people will see what they are trying to do and, come this November, will reject it.

#### RECOGNITION OF THE MINORITY LEADER

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

#### TENTH ANNIVERSARY OF THE LOSS OF OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. MCCONNELL. Mr. President, if you visit the U.S. Capitol through a certain entrance on the first floor of the East Front, you will see a plaque by the door. The plaque is in honor and remembrance of Capitol Police Officer Jacob Joseph Chestnut and Detective John Michael Gibson, where 10 years ago today they gave their lives in defense of this Capitol.

Their deaths remind us that, just as bravery was required from our Founders who built the Capitol, the bravery of great men is required today to protect and keep it. The names of Chestnut and Gibson will forever be remembered among American patriots.

Officer Chestnut, or J.J. to his friends, was 58 and a father of five. An 18-year veteran of the force, he was just months away from retirement. He was also an Air Force veteran of 20 years who had served in Vietnam and Taiwan, where he met his wife.

J.J. lovingly tended a vegetable garden in the back yard of his house, and