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Senate

The Senate met at 3 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Eternal Spirit, our hope for years to come, thank You for bringing us together again. Lord, we have missed each other and the separation from friends and peers has generated good memories. Our time apart often reminds us that we need each other and that we best honor You by striving to become models of unity. Lord, we thank You for the opportunities this recess provided for family time and fellowship, for relaxation and rest, for productive contacts and service. Now, as we begin anew the hard work of implementing decisions and solving problems, give our lawmakers and their staff members patience, endurance, energy, and wisdom.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB 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, September 8, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB 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, I had the good fortune last month to go to Afghanistan. It was, of course, tremendously educational. We had the opportunity—a number of five Senators, Democrats and Republicans—to visit with our allies in Kurdistan and Kazakhstan. It was a good trip. Then, of course, we completed our trip by going to look—which I had not done—at medical facilities in Germany. All of the troops who are injured or hurt in any way in Iraq or Afghanistan go through that facility. So it was a good trip.

It made it very apparent to me that we should do everything within our power to pass the Defense authorization bill because 7 years after 9/11, we all recognize that our No. 1 enemy, Osama bin Laden, is still free, and al-Qaida has rebuilt its safe haven, it appears, in Pakistan. The central front of the war on terror, we have learned, cannot be won in Iraq. Yet that is where our troops are located. Our treasure and our strategic focus remains in Iraq, but it should be other places. That is why it is so critical to pass a Defense authorization bill that not only supports our troops and our families but also takes a step toward a smarter war on terror.

The Defense authorization bill gives the troops a much needed pay raise of

almost 4 percent. It also renews a number of special pay increases provided to troops who fill high-skilled areas that were so undermanned. We all know because of what has happened with the Bush and now McCain efforts, troops are in Iraq and our resources are in Iraq. Afghanistan has seen a surge in violence and suicide attacks are up. We have more coalition forces being killed in Afghanistan than in Iraq, roadside bombings have increased, and opium production is up with Afghanistan producing 93 percent of the world's opium. So we have to refocus on Afghanistan.

Our troops have done a tremendous job in Iraq and, of course, in Afghanistan. It does your heart a lot to be able to visit with those troops in the battlefield as we did. So it is time we get this Defense authorization bill passed. We have to do that. We need the funds for the programs in Afghanistan that are critical to winning the peace that have been ignored for far too long.

This legislation increases the size of the Army to 532,000; the Marine Corps, 194,000; along with other steps to improve readiness and reduce the strain and improve the capabilities of our Armed Forces. We have had other occasions with our Republican allies to pass a Defense authorization bill in the Senate, but we haven't been successful in doing that. So I hope we are allowed to go to the bill.

I have had a number of conversations with Senator LEVIN, the chairman of the committee. Each conversation I have with him, he tells me he is going to confer with Senator WARNER, the former chairman and now ranking member of that most important committee. We want to get on the bill. We want to get the bill passed. This bill is not an opportunity for people to vent their frustration on all of the issues that are floating around this country. This is a bill that deals with the safety and security of our Nation and the well-being of our troops. So when we get on the bill, I hope we can move forward and complete legislation on this

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



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most important part of what we are trying to do.

This is the first issue we are going to take up when we get here. So my goal is to do what we have to do to work on the Defense bill this week.

We have an energy summit this Friday. It has been requested by a significant number of Senators, including the gang of 10, which I am told is now up to a gang of 22—or if it is not 22, last week it was 16. It is a lot of Senators. So we are going to have the energy summit this Friday. It doesn't mean we will not have votes this Friday, but at least starting at 9:30 on Friday morning we are going to have an energy summit. My desire is to spend next week dealing with energy.

We have a piece of legislation we have had the opportunity to move to. It was a bill on speculation which was very important. I would think it could be a vehicle to work with. If our Republican colleagues wish to get rid of the speculation part of it, in an effort to be cooperative and show some degree of conciliation on our side, what we would be willing to do is have that as a vehicle.

The first amendment to be offered on that piece of legislation would be the Bingaman-Baucus legislation, which is a Democratic proposal that has been on the calendar, the only difference being there is a drilling provision in it. The second amendment would be the gang of whatever it is—now we are up to 22—and then I would hope we could have some kind of an agreement if the Republicans are not satisfied with the Bingaman-Baucus amendment or the gang of 22 amendment; if they want to come up with an amendment dealing with legislation, fine. That would be the next amendment in order. I hope we can agree on a limited number of amendments dealing with energy on this Energy bill. It is my understanding—and I understand this fairly well—that both the Bingaman amendment and the gang of 22 amendment have drilling provisions. So I hope we can move forward. We have attempted in the past, as everyone knows, to do energy legislation, including that with drilling. But, so there is no confusion or consternation on anyone's behalf, next week we should be able to do the drilling votes and other votes as they relate to energy.

The state of the economy is very desperate, for lack of a better description. Oil and gas are just part of our economic crisis. Since we left for our recess and the conventions are over, we have only more bad news, which means we should look forward also during this work period to see if we can do an economic stimulus bill. Why is one necessary?

Well, the Bush economy has lost jobs every month this year. Just last month alone 84,000 jobs were lost. A total of more than 600,000 jobs have been lost this year alone. The total number of jobless Americans is now about 10 million. A number of people are out of

work also, but they stopped keeping track of the unemployment after they had been on the rolls for a certain period of time. Housing values have decreased by almost 20 percent. The unemployment rate has soared now to over 6 percent.

American workers are holding up their end of the deal because one of the interesting things through all of this is that productivity by our work force is up by 20 percent since 2000, but wages have not kept pace with productivity.

Then, finally, the news of Freddie and Fannie—these two huge financial operations that have been so important since the 1930s in our country—are now in trouble, and the Federal Government is taking them over, which is certainly another strong piece of evidence about the disastrous shape of our economy. I hope we can move on and do something with an economic stimulus package. To this point, Senator McCain has been unwilling to do that. Let's hope this string of bad news items will bring him back to saying we need to do something with the stimulus.

We have—I am sure Senator McConnell has, and I know my colleagues, the counterparts on the Democratic side of the Congress—received calls from Secretary Peters. We have tried in the past on a number of the bills we have put forth to put money in the highway trust fund to replenish it. We were thwarted from doing that. We have to do something. Secretary Peters said now States are only getting part of their money. Eighty percent of them have dropped; 50 percent have basically dropped to nothing. We can pass the highway trust fund replenishment bill immediately. We have a bill from the House that starts doing that on October 1. We would have to move the date forward. We are willing to pass it today. Democrats are willing to pass this today. I say to the Bush administration, to Secretary Peters, we are willing to do this today. She said it needed to be done immediately. I talked to her over the weekend. I acknowledge that is the case.

For this \$8 billion, we will create eight times 47,500 high-paying jobs for people. So we should do that. I would hope we can get my colleagues on the other side of the aisle to move forward by unanimous consent today to pass that. What we would like to do, as I have indicated, is move the time forward from October 1. Secretary Peters said we need to do that. It passed the House by a 387-to-37 vote. I hope we can do that. In effect, what we could do is transfer \$8 billion from the general fund to the highway trust fund.

There is a funding shortage looming, and we hear strong support from both Democrats and Republicans, with now Secretary Peters. I am confident she speaks for the administration. So we could pass this legislation immediately.

There are other priorities we need to work on this work period. If we have

time to do that, we certainly will do that. We have the tax extenders. Without going through the list, I look forward to working with my friend, Senator McConnell, to see what we can do to move forward on these things.

Finally, before we leave here, we must find some way to fund the Government. If the Republicans want to do it on a week-by-week basis, that is fine. If they want to wait to do it until after the election so we have to come back for a lameduck, we are willing to do that. If they want to do it sometime in February, we are willing to do that. We are not interested in games being played on the CR. We simply want to make sure Government is allowed to function. There have been Republicans on the other side of the Capitol—in the House—saying they want to close down the Government. I hope some of those people have read recent history where Gingrich tried to do that and it didn't work out well for the Republicans and certainly not for this country.

I look forward to this short work period we have left to show the American people we can get some things done. I hope that is, in fact, the case.

MEASURE PLACED ON CALENDAR—S. 3430

Mr. REID. Mr. President, it is my understanding that S. 3430 is at the desk and due for a second reading.

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

The legislative clerk read as follows:

A bill (S. 3430) to provide for the investigation of certain unsolved civil rights crimes, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

UNANIMOUS CONSENT AGREEMENT—S. 3001

Mr. REID. Mr. President, I ask unanimous consent that the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 3001 be agreed to, the motion to reconsider be agreed to, and the time until 5:30 be equally controlled between Senators LEVIN and WARNER or their designees; that at 5:30 today, there be a vote on the motion to invoke cloture on the motion to proceed to S. 3001, the Defense Department authorization bill, with the time from 5 o'clock to 5:30 equally divided and controlled between Senators LEVIN and WARNER or their designees, with Senator LEVIN controlling the final 15 minutes prior to the vote.

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