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## Senate

(Legislative day of Wednesday, September 17, 2008)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

### PRAYER

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

Let us pray.

Gracious, loving God, let Your light, Your wisdom, Your righteousness, and Your love fill our minds and hearts today. Lord, You have promised Your wisdom for all who need it. This week, more than ever, Your Senators need Your wisdom. Illuminate their minds with more than human insight. Lord, close the doors You don't want them to enter and open the gates that will lead them to the path of Your way. Remind them of their weakness and fallibility as You give them the grace to listen to those with whom they disagree. Bring from the crucible of conflicting views truth and justice that will bless our land.

We pray in the Name of Him who gave His life for all. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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 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 BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. CARDIN 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 the remarks of the leaders, the Senate will proceed to morning business. We are going to go to morning business for an hour. I alert Members that we may be in morning business for longer than that time. We will come back at a later time. The first 30 minutes will be controlled by the majority, and the Republicans will control the last 30 minutes. Following that time, we will continue to have Senators limited to 10 minutes each. If that is not the order, I ask that be the case.

The ACTING PRESIDENT pro tempore. That is the case.

Mr. REID. The legislation we have this week is the Department of Defense authorization. We have a continuing resolution. We have the stimulus. We have the economic recovery program. And, of course, the most important thing on everyone's mind is what we do about the bailout of the financial institutions.

I think we made progress yesterday. Certainly, it appears there were a lot of questions asked. The Secretary of the

Treasury and the Chairman of the Fed will be over in the House around 2 o'clock this afternoon. Democrats are holding a caucus at 4:30 p.m. to talk about this issue. The Secretary is coming to that caucus at 5 o'clock.

I hope we can make more progress. We have not only the Jewish holidays coming up next week, but a very important event is this Friday. I was told and heard on the radio this morning that as much as 85 percent of the American people will watch the debate this Friday. That is a stunning number. It will be the most widely viewed Presidential debate in history. I assume, if we are still in session, we can take a brief recess for an hour and a half and work through it. I am sure there is not one of the 100 Senators who will want to miss that debate.

I will be back later to talk about the so-called Coburn package. I am not going to do it now.

### RECOGNITION OF THE MINORITY LEADER

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

### HONORING OUR ARMED FORCES

SPECIALIST SERGIO S. ABAD

Mr. MCCONNELL. Mr. President, this morning I pay tribute to a fallen soldier from my home State. SPC Sergio Abad was tragically killed in Wanat, Afghanistan, from wounds suffered by small-arms fire and rocket-propelled grenades fired by the enemy on July 13, 2008. Army records listed Morganfield, KY, as Specialist Abad's home, and he was 21 years old.

For his valor on the battlefield, Specialist Abad received several medals, awards, and declarations, including the National Defense Service Medal, the Army Good Conduct Medal, the Army

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



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Commendation Medal with Combat Distinguishing Device "V," the Purple Heart, and the Bronze Star.

Specialist Abad's adoptive mother, Marilyn Popko, relates a tale of his heroism in his final moments that explains just how such a young man earned that many medals and more. At a memorial service for Sergio at Arlington National Cemetery, a friend and fellow soldier of Sergio's who was at the battle told her Sergio kept fighting even after taking hits to his arms and thigh. With his brother soldier there to reload his gun for him, Sergio kept firing until he finally succumbed to his wounds and could fight no more.

"It was his dream to be in the military, and he was living his dream when he was killed," Marilyn says.

Sergio was born and grew up in Florida. At the age of 7, he was removed from an abusive home and placed with relatives. By middle school, young Sergio had become part of not just one Florida family but two: the Popkos and the Pittses, both of whom already had children around his age.

"He would stay with us a while, then go to stay with Lori Pitts's family," Marilyn recalls.

Thanks to the support of the Popkos and Pittses, a child with an unhappy start in life received plenty of support and love. He called both Marilyn Popko and Lori Pitts "Mommy." Paul Pitts and Stephen Popko were both "Dad."

Growing up, Sergio participated in Junior ROTC and studied karate at a local martial arts studio. Sergio "was really athletic and could knock out hundreds of push-ups with no problem," says Marybeth Klock-Perez, who ran the studio where Sergio practiced. For someone who had "been dealt really unfair cards in life, he was absolutely never bitter. He never used excuses or acted like the world owed him."

COL Eddie Santana ran Sergio's Junior ROTC Program. He was "an outstanding young leader—very disciplined and committed," the colonel remembered. "He always knew what he wanted to do: join the Army."

Sergio traded the Sunshine State for the Bluegrass State in 2005 when he came to the Earle C. Clements Center in Morganfield, KY, to earn his GED. After he received it, he entered basic training at Fort Benning, GA, and then was stationed in Italy for a year with Company C, 2nd Battalion, 503rd Infantry.

"It was one of the best times he ever had," Marilyn Popko says. "He went to Germany, Switzerland, France. And he loved jumping out of airplanes."

Amidst all this adventure, Sergio also fell in love. He met Christina, and the two planned to marry in the summer of 2008. The wedding was to feature the music of Sergio's favorite singer, Frank Sinatra. Sadly, Sergio was killed before he could walk down the aisle and before he could welcome his and Christina's daughter, due this December, into the world. Christina "le-

gally changed her name to Abad so their daughter would have Sergio's name," Marilyn says. Sergio "died without knowing they were having a girl—he always wanted a daughter."

Sergio leaves behind many loved ones, and our thoughts are with them today. This includes members of both the Popko and Pitts families, including Marilyn, Stephen, and Catherine Popko, and Lori, Paul, Zachery, and Leo Pitts and Krystine Pitts Flagg, as well as Sergio's fiancée, Christina Abad, and their daughter, who will grow up knowing their father was a hero.

Everyone who knew and loved him should also know our Nation is honored to have men like SPC Sergio S. Abad defend our country. Today, this Senate honors him for his immense sacrifice and for his life of service.

Mr. President, I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The majority leader is recognized.

#### DRUG ENDANGERED CHILDREN ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1199 and the Senate proceed to its consideration; that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

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

The bill (H.R. 1199) was ordered to a third reading, was read the third time, and passed.

#### EMMETT TILL UNSOLVED CIVIL RIGHTS CRIMES ACT OF 2007

Mr. REID. Mr. President, this is the Emmett Till unsolved crimes bill which has received so much notoriety. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

Mr. REID. Mr. President, I extend my appreciation to Senator COBURN for allowing us to complete these two bills.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I know under the previous order this side of the aisle has the time first, but I see the Senator from Oklahoma standing, and I wonder if he wanted to respond to the majority leader.

Mr. COBURN. I did.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senator from Oklahoma be allowed to speak, but that time not be taken out of the 1 hour set aside for the two sides of the aisle.

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

The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I wanted to thank the majority leader and to spend a few minutes talking about an individual who was key to—

Mr. REID. Would my friend withhold for a second? The staff said they didn't hear me read all this on Emmett Till, even though I did. They want me to do the whole thing all over again.

The ACTING PRESIDENT pro tempore. Without objection, the majority leader is recognized.

#### EMMETT TILL UNSOLVED CIVIL RIGHTS CRIME ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 237, H.R. 923.

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

The legislative clerk read as follows:

A bill (H.R. 923) to provide for the investigation of certain unsolved civil rights crimes, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that the Senate will unanimously pass the Emmett Till Unsolved Civil Rights Crime Act, H.R. 923, a bipartisan bill to provide critical tools and resources for the Department of Justice and FBI to expeditiously investigate and prosecute decades-old unsolved civil rights cold case crimes.

This bill overwhelmingly passed the House of Representatives last year and unanimously passed the Senate on two previous occasions, in the 108th and 109th Congresses. Its consideration in the Senate has been needlessly delayed due to a Republican objection. Finally, this bipartisan legislation will be sent to the President.