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Senate

The Senate met at 2 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.

Immortal, invisible, God only wise, allow the mystery of Your power and grace to be felt by our Senators today. May this transcendent presence empower our lawmakers to be faithful managers of their God-given talents. As they use their different gifts for Your glory, fill their hearts with gratitude. May this spirit of thankfulness engender a unity of purpose that will enable them to meet the challenges of our time. Lord, keep these Your servants under the protection of Your divine favor. Allow them to so conduct the business of freedom that the next generation will speak their names with gratitude.

We pray in Your great 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, February 2, 2009.

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, following leader remarks, the Senate will turn to consideration of H.R. 1, the Economic Recovery Act of 2009.

At 3:15 p.m. today, the Senate will proceed to executive session to consider the nomination of Eric Holder to be United States Attorney General. The time until 6:15 p.m. will be equally divided and controlled between Senator LEAHY and Senator SPECTER or their designees. At 6:15 p.m. the Senate will vote on the Holder confirmation.

This week, Senators should expect long days with votes on numerous amendments as the Senate considers the economic recovery legislation.

I am going to make a few remarks on the Attorney General nomination, but let me say this. Senators BAUCUS and INOUE are going to be managing the bill, because it is equally divided between appropriations matters and finance matters. We are going to work, starting today, with them making statements—and I haven't finalized this with the Republican leader yet—but I think for tonight it will be debate only, after the Holder nomination, and then tomorrow we will move to amendments.

We are going to have as many amendments as people feel are appropriate on this legislation, without any prejudgment as to what amendments are good

or bad. I have worked something out so that on Wednesday Senator INOUE has agreed to be here at the time when we are at our annual retreat, which is right close to Capitol Hill. We will come in about 10:30 and that will be over about 3 p.m., in the afternoon, but there is no reason why the Republicans can't offer amendments on Wednesday. So we should be able to move this along quite well.

We will try to be as understanding of everyone's schedules, especially the committees, so that, if necessary, we will try to stack some votes. I say to my distinguished Republican colleague that we are willing to have a number of amendments pending at a given time; we just have to be careful that we don't get so many pending it is unmanageable. But we will be happy to work on this.

Before I say anything about the Attorney General nomination, I wish to ask my friend if he has anything to say about the schedule.

Mr. MCCONNELL. I say to my friend the majority leader that the two managers on this side will be Senators COCHRAN and GRASSLEY, of the two relevant committees.

I appreciate very much the thought about Wednesday. My Members are anxious to offer amendments, and that gives us an opportunity to do that during the day on Wednesday, even though your conference is tied up. It would be my hope that we could vote Wednesday night and process amendments. This is such a big week, and such an important measure, as we all know, that I have told my Members—and I hope it is the case—that after tonight, all bets are off in terms of working in the evening, and my Members are expecting that to happen. I ask my friend the majority leader if it is his view that is the way we will operate this week?

Mr. REID. Yes. We should tomorrow have a very long, hard day, and Wednesday, even though there are a few hours that a lot of Democrats

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



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won't be in and we won't be able to have votes, in the evening we can have as many votes as we need. There is no reason we can't work into the night and then come back on Thursday.

There are some important things going on this weekend, and the Republican leader and I have talked about that. We will be as understanding as we can of everybody's schedule, but I do remind everyone that the Presidents Day recess is coming up. We have been here 6 weeks, and we not only have obligations here but we have obligations at home. There is work we have to do at home, but we are not going to be able to do that important work until we finish this economic recovery legislation. So we are going to be as thoughtful and as considerate on both sides as necessary.

I have to say, Mr. President, as far as the managers of this legislation, we are in the majority at this time, but it wasn't long ago that Senator COCHRAN and Senator GRASSLEY were chairmen of those committees. These are four of the most respected, knowledgeable, and experienced managers we could have, the four people we have mentioned—INOUE, BAUCUS, SPECTER, and COCHRAN. So there is no reason that these people, with the experience they have, can't help us move through this legislation.

Mr. MCCONNELL. May I ask the majority leader one other question?

I have a very short statement, unrelated to the Holder nomination, if the majority leader wouldn't mind.

Mr. REID. I would be happy to have the Senator do that.

RECOGNITION OF THE MINORITY LEADER

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

JUMP STARTING THE ECONOMY

Mr. MCCONNELL. On the same subject, Mr. President, I think we all agree it is important to jump-start the economy, and this week we will have the opportunity, as the majority leader and I have been discussing, to have full debate and many amendments on how to do that and how to improve on the bill passed by the House.

Republicans agree with President Obama that we should trim things out that don't put people back to work. The standard he set for this bill is pretty simple and easy to understand. He wanted to incorporate good Republican ideas and trim the fat that won't put people to work right now. I think that is a pretty good principle. Republicans believe a stimulus bill must fix the main problem in the economy, which is housing. We need to fix housing first.

Republicans also believe we must put money back into the pockets of taxpayers, and we believe we must eliminate wasteful spending from this package.

The American people have real questions about the merits of spending tens of millions of dollars sprucing up government buildings here in Washington, for example, or removing fish barriers, rather than growing the economy and creating jobs. We will have an opportunity to further craft this measure as it moves through the Senate. Republicans are anxious to offer amendments, have debate, and have votes.

Mr. President, I yield the floor, and I thank the majority leader for deferring to me for a moment.

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

HOLDER NOMINATION

Mr. REID. Mr. President, in the long and lurching march toward equality that in no small manner defines our progress as a nation, this moment in history will be remembered as a golden age. The election of Barack Obama fulfills a dream that seemed unimaginable a generation ago, or even a few years ago. A child born today will have every reason to believe the old adage that in America any boy or girl can grow up to be President.

To join him in governing our country, President Obama has chosen a brilliant, honorable, and exceptionally well qualified individual to serve as Attorney General of the United States. With historic challenges facing the Department of Justice, I urge all my colleagues to support the nomination of Eric Holder.

What began as a one-man, part-time office to represent the United States in Supreme Court trials, the Attorney General now has been transformed over the years to be the lead agency to fight terrorism, prosecute crime, and uphold the fundamental rights of every citizen.

In 1957, with the civil rights movement growing and conflicts bubbling in all regions of our country, the Civil Rights Division of the Department of Justice was established. When Congress passed the Civil Rights Act of 1964, the Voting Rights Act of 1965, and other legislation prohibiting discrimination on the basis of race, sex, handicap, religion, or national origin, it was the Civil Rights Division that ensured they would be enforced; that is, the laws passed would be enforced.

In the fall of 1962, Attorney General Robert F. Kennedy ordered U.S. Marshals to stand guard at the University of Mississippi so that James Meredith, the first African American accepted for admission, could enroll and attend classes peacefully amidst a violent mob of thousands.

In the summer of 1963, the Justice Department, led by Deputy Attorney General Nicholas Katzenbach, confronted Governor George Wallace as he physically blocked the admission of two African-American students to the University of Alabama. It took the federalization of the Alabama National

Guard to force Governor Wallace to step aside and allow those students to enter.

These are only two of countless examples of the U.S. Department of Justice enforcing the laws of our country.

Although the parchment of our Constitution may be a little yellow and the ink faded somewhat, as long as the Justice Department stands behind the people's demands for liberty, the spirit of our Founders will never recede. I have no desire to rehash the many ways the Bush administration politicized and degraded the Justice Department away from its historic mission. While we must not fail to remember that sad chapter in our history, I am far more interested in looking toward a more hopeful future.

With President Obama in the White House and Eric Holder leading the Justice Department, that brighter future begins right now. The experience of this nominee is unquestioned. As a young lawyer, fresh out of Columbia Law School, one of the finest law schools in America, Eric Holder accepted a job at the Justice Department. He didn't want to see how much money he could make, he wanted to enter public service, and he did. The job he took at the Justice Department is now a department he stands ready to lead.

At the time he worked there, as a young new lawyer, he was charged with the unenviable task of prosecuting corrupt public officials who had violated the public trust. This kind of work can be thankless and politically sensitive, but from a young age Eric Holder showed the courage to stand for the public interest no matter the personal or political cost.

In 1988, Eric Holder was appointed by President Reagan to be a judge in the District of Columbia Superior Court. In this capacity he presided over countless trials involving violent crimes and murder, proving himself to be a fair and tough administrator of justice.

In 1993, President Clinton chose Eric Holder as U.S. Attorney for the District of Columbia, where he focused on improving some of Washington, DC's most crime-ridden neighborhoods by locking up wrongdoers and involving communities in law enforcement.

As Deputy U.S. Attorney General starting in 1997, Holder showed fearlessness in prosecuting crimes against children, white-collar crimes, and crime in general. During his tenure as Deputy Attorney General, Mr. Holder was also faced with the difficult decision of how to advise Attorney General Janet Reno on the investigation that led to the impeachment of President Clinton. He chose to urge the Attorney General to expand the investigation to ensure that all facts would come to light. He was harshly criticized by members of his own party for causing political trouble for the President.

But in this decision, Eric Holder again showed the courage to uphold perhaps the most important principle for any Justice Department official: answering to the people first.