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Senate

The Senate met at 10:15 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Almighty God, gracious Father of us all, You have guided the leadership of this Nation through troubled waters in the past. Lead our lawmakers now into these difficult days. Give our governmental leaders wisdom and energy, that they may successfully meet today's challenges. Assure them of Your presence, love, and grace in their labors. Temper their awareness of privilege in this place with humility and respect toward each other. May their work be productive of justice, equity, and peace. Today, Lord, we also pray Your blessings upon our Nation's military and our men and women in harm's way.

We pray in the Name of the Prince of Peace. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR 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, March 13, 2008.

To the Senate:

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

appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

MOMENT OF SILENCE TO HONOR U.S. TROOPS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will observe a moment of silence in honor of our troops.

(Moment of Silence.)

RECOGNITION OF THE MAJORITY LEADER

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

SENATOR HOWARD METZENBAUM

Mr. REID. Mr. President, I had the good fortune to serve in the Senate with one of the real characters of this Senate, Howard Metzenbaum. A smile has to cross my lips when we talk about Howard Metzenbaum because he was someone who really was a Senator. He had read the bills. He wanted to make sure people were treated fairly. If they weren't, he knew how to slow things up. But in the end, he was willing to come around. I have such respect and gratitude for the service to our country of Howard Metzenbaum.

He served 18 years as a Senator from Ohio, from 1976 to 1995. He was really a self-starter, for lack of a better description. He held his first job at age 10 delivering groceries, worked his way through Ohio State University with all

kinds of jobs—sold flowers, played trombone in the band at the university, sold magazines, razor blades, rented bicycles. But he graduated Ohio State with all those odd jobs, Ohio State law school.

His first big business break came when he and a partner created a 24-hour staff parking lot at Cleveland's Hopkins Airport. No one had ever heard of a 24-hour parking lot. He did.

Howard Metzenbaum came to the Senate as a very wealthy man. He was a self-made man. He was a man who had made a name for himself. He was a labor lawyer, a union lobbyist. When he came to the Senate, he never forgot the people those unions represented, the working men and women of Ohio. After he left the Senate, he became the head of the Consumer Federation of America, a perfect place for him.

His partner in all this was his wife Shirley, whom we all came to adore. They have four daughters.

I want the RECORD to be spread with my appreciation and admiration for this good man from Ohio.

RECOGNITION OF THE MINORITY LEADER

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

PASSING OF SENATOR HOWARD METZENBAUM

Mr. McCONNELL. Mr. President, let me also note the passing of our former colleague, Senator Metzenbaum. I think the majority leader captured him well. He was a man who operated in the Senate similarly to two of our colleagues today—I think of Senator COBURN and Senator FEINGOLD—in the sense that he actually was interested in every piece of legislation that went across the Senate floor. He took the time to look at it, to decide whether he thought it was a good idea or not. He was a man of extraordinary passion.

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



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He was, by his own description, an orthodox liberal and made no apologies about it. As the majority leader has pointed out, he had extraordinary success, rising from absolutely nothing financially and in terms of connections, not only made a substantial amount of money in the private sector but then had a long and distinguished public career as well.

We all remember Senator Metzenbaum with fondness and with respect. I, too, extend my sympathy to the Metzenbaum family.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF PROCEDURE

Mr. REID. Mr. President, as we all know, this is the time for the vote-arama or whatever we want to call it. It is usually an exciting day, but it is a difficult day. I have conferred with the two Republican leaders, and what we are going to do—and I ask unanimous consent that this be the case—the first vote we are going to have will occur sometime around 11 o'clock. The first vote will be 15 minutes plus 5, like we do. After that, they will be 10 minutes straight, no wiggle time at all. Senator CONRAD and Senator GREGG have been through this many times. We tried 5 minutes; it doesn't work. But 10 minutes we are going to do. This is going to apply to my side of the aisle and the other side of the aisle, the 10 minutes. We are going to cut things off, if people miss votes.

Mr. MCCONNELL. Will the leader yield? That would include, of course, the 1-minute explanation of the amendment on each side.

Mr. REID. Of course. I appreciate that very much. As my friend indicated, prior to each vote there will be 1 minute on each side, pro and con. I also have asked the Parliamentarian to enforce this. I say to the Chair, and I hope you will notify your successor, we are going to gavel people after 1 minute. These 1-minute speeches drag on for 3 or 4 minutes. That takes away from what we are supposed to do. The 1 minute is something we have kind of traditionally started doing. There is nothing in the rules to say you have any time.

I ask unanimous consent that the first vote be 15 minutes plus 5, subsequent votes will be 10 minutes, with no wiggle room after that, and that there be 1 minute on each side on each amendment and that the Chair will enforce the 1 minute.

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

Mr. REID. Mr. President, my final request would be that the Senator from Ohio, Mr. BROWN, be given 5 minutes to speak as in morning business.

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

Mr. REID. I ask unanimous consent for 3 minutes for Senator KENNEDY.

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

The Senator from Ohio.

SENATOR HOWARD METZENBAUM

Mr. BROWN. Mr. President, Senator KENNEDY and Senator Metzenbaum were so often fighting for same causes and the same issues and showed the same courage. They both were and are heroes to many. I thank the majority leader for the time.

A great son of Ohio, Senator Howard Metzenbaum, passed away last night in Florida. He was personally inspirational to so many. He changed the lives of Ohioans, as he changed the lives of so many Americans through his lifetime commitment to public service. I am honored to hold his seat in the Senate and to follow in his footsteps.

According to Senate tradition, many Members of the Senate carve their names in the drawers of the desks that line the rows. Whoever has Senator Metzenbaum's desk can, with all of us, share in the legacy of his greatness.

As different as they were, Senator Metzenbaum and Senator John Glenn, who served together for almost two decades, made an unparalleled team for Ohio.

Senator REID mentioned that Howard was a child of poverty. He was a child of prejudice growing up as a Jew on the east side of Cleveland and suffered both from his family's poverty and anti-Semitism in all too many cases. He worked his way in jobs, starting as a 10-year-old, through Ohio State.

Senator REID told us that in the Senate, Senator Metzenbaum was a master of the rules, a constant presence in an often empty Chamber, who would, when leaving the Chamber, post an aide to scout for an unexpected amendment or hastily scheduled floor action on various bills. Once, when a 2-week filibuster was cut off and Metzenbaum was still determined to block action on lifting natural gas price controls, he and a partner sent the Senate into round-the-clock sessions by demanding rollcall votes on 500 amendments. He did not care if he angered his colleagues. He did not care if he was liked every day by his colleagues. What he cared about was to fight for economic and social justice for the 10 million citizens whom he represented in Ohio and for the 250 million or so Americans when he served in the Senate.

The Washington Post, in 1982, said that Senator Metzenbaum singlehandedly saved at least \$10 billion by blocking special interest tax breaks and pork-barrel programs.

I remember watching Senator Metzenbaum when I served in the House, at the beginning of my House career and at the end of his Senate career. I watched him as a younger elected official in State politics. Even as he was getting older and he began to show his age, when he stood in front of an audience, the energy just burst from him. Fiery passion for economic justice and social justice poured forth from Howard Metzenbaum. He would start at the podium—he is the first politician I saw do this—and as he would work his way up into his speech and begin to inspire people, he would come away from the podium and walk out into the audience, and he had a strong, powerful voice even when he was no longer speaking into the microphone. People would always respond with the same kind of passion and be inspired by him. That is my clearest, favorite memory of him. His legislative record, of course, was so important too. One of the most important things he did was the plant closing legislation, giving 60 days' notice to workers who too often have seen their jobs disappear with nothing to show for it—pensions, health care, all that.

Howard Metzenbaum always fought for people who had less. He always fought for people who had less privilege than he had. He always fought for opportunity for people of all races and both genders and all social classes. That is what he will be remembered for.

I particularly admire his family. Howard was a great family man—a man who cared very much about Shirley, his wife, and his four daughters: Shelley, Amy, Susan, and Barbara. He will be greatly missed.

After his service in the Senate, as Senator REID said, he became the head of the Consumer Federation of America. He never gave up his passion for fighting for ordinary people and for being a warrior for social and economic justice.

Mr. President, I yield to Senator KENNEDY, who was a comrade in arms in so many ways with Senator Metzenbaum.

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

ORDER OF BUSINESS

Mr. REID. Mr. President, one thing I did not mention—the Republican leader is on the floor—we are going to finish this bill tonight. Or if it goes past midnight, we are going to finish it on Friday. We are going to finish this bill. We have a lot of amendments. It is not as if we have not done this before. I hope people will be understanding of the rest of the Senators as to how many amendments are offered.

We understand the rules. You can offer all you want. We are going to finish this legislation tonight. It is important we do that. We have a very important work period coming, with many