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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.

Almighty God, You have plans for us and power to make them happen. Give the Members of this body a knowledge of Your will for our Nation and world. Remind them that they serve a public trust, beyond personal gain or glory. May they see that no nation lives for itself alone but is responsible to You for peace, and for the well-being of all of Your children. We pray in Your sacred 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, July 28, 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, there will be an hour for debate equally divided and controlled by the two leaders or their designees. Senators should be prepared for two rollcall votes to begin around 4 p.m. The first vote will be a live quorum and the second vote will be on the motion to invoke cloture on the motion to proceed to S. 3297, a bill to advance America's priorities.

### UNANIMOUS-CONSENT REQUEST— S. 3268

Mr. REID. Mr. President, I ask unanimous consent that when the Senate considers S. 3268, the bill be considered in the following manner: there be 3 hours of general debate on the bill, equally divided and controlled between the leaders or their designees; that the only first-degree amendments in order be those listed in this agreement and that second-degree amendments which are relevant to the first degree to which offered be in order; provided further that if the managers and leaders acting jointly determine that a side-by-side amendment strategy is the appropriate manner to address the amendments in order, then in lieu of a second degree a side-by-side amendment would be in order, with the majority side getting the first vote if that were the case; that debate time on any amendment, first or second degree, in this agreement be limited to 2 hours equally divided and controlled in the usual form; that each amendment, first and second-degree, be subject to an affirmative 60-vote threshold; that if it achieves that threshold, then it be agreed to and the motion to reconsider be laid upon the table, but if it does

not achieve the affirmative 60 votes, then the amendment be withdrawn; the Republican amendments would be offshore drilling, an oil shale amendment, nuclear energy, and then there is a package of—I think there are 42 cosponsors in a package they have relating to energy; the Democratic amendments: We would have four amendments on the subject of energy; that upon disposition of all amendments, the bill be read a third time, and the Senate vote on passage of the bill, as amended, if amended, with no intervening action or debate.

Mr. President, before the distinguished Republican leader decides what to do on this, basically this is on the energy package to set this up where there would be, as indicated here, four amendments on each side. Ours could either be second degrees or, if we wanted a side by side, we could do that. There would be, as has been the standard around here on issues such as this, a 60-vote threshold. This would take care of issues that we understand are important to the minority: offshore drilling, oil shale exploration, nuclear energy, and the omnibus package that they put together.

The ACTING PRESIDENT pro tempore. Is there objection?

The Republican leader is recognized.

Mr. McCONNELL. Mr. President, reserving the right to object, let me say to my good friend, the majority leader, I think we are getting very close to being able to reach an agreement to go forward. This is a significant step in the direction I had hoped we might take.

I ask my good friend, I have a leadership meeting in an hour or so. I wish to consult with my leadership team about the proposal he has offered. But I think—

Mr. REID. Mr. President, I withdraw the consent request and will renew it at a later time.

Mr. McCONNELL. Mr. President, let me say, I am very encouraged by 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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development. I thank my good friend for his offer, and I should be able to get back to him within a couple of hours or less, after having a chance to talk about it with my team. I thank him very much.

Mr. REID. Mr. President, the other consent I was going to ask is consent that S. 3268—that is the Energy bill that is before us now, the speculation bill—remain the pending business, notwithstanding the adoption of a motion to proceed to a nonprivileged item; namely, it would be the Coburn package. The reason that is important is, if we do that now—we have a vote at 4 o'clock or 4:20, whatever the case might be—I wanted to make sure that one of the arguments used against that going forward, which is that energy would not remain as the pending business, that this agreement would take care of that. So if people want to object to proceeding on the matter we now have before us, that we are going to be voting on in a short period of time, if they want to use the excuse it is going to take us off energy, this consent agreement would not do that.

Mr. MCCONNELL. Mr. President, reserving the right to object, as I understand it, this consent, if entered, would have the effect of moving us off of energy, and it is my view, and I think close to the unanimous view of my conference, that we ought to stay on this energy speculation bill, as it might be amended, and proceed to amendments such as we have in good faith discussed here a few moments ago. So I at this time would object to this.

Mr. REID. I say to my friend, this does not take us off energy. But anyway, the objection has been heard. So I thank the Chair.

The ACTING PRESIDENT pro tempore. The objection is heard.

#### ADVANCING AMERICA'S PRIORITIES ACT

Mr. REID. Mr. President, there is a woman who lives in Sparks, NV. Her name is Kathie Barrett. She is married and has two children. Sparks is a suburb of Reno, NV. When you are there, you cannot tell whether you are in Sparks or Reno. The demarcation between the two over the years has become insignificant. You cannot tell most of the time whether you are in Reno or Sparks.

Kathie, after taking several years off to raise her children, went back to work as a librarian's assistant. Six years ago, Kathie was diagnosed with ALS, Lou Gehrig's disease. Of course, she was declared unable to continue to work.

Her breathing capacity is extremely limited and getting worse every day, but in spite of tremendous muscle loss and coordination in her neck and back, she and her husband Martin traveled to Washington, DC, from Sparks to ask Congress to pass the ALS Registry Act.

She is one of 5,600 Americans who are newly diagnosed every year with this

fatal disease, Lou Gehrig's disease. There is no cure for the disease, and the one FDA-approved drug works for only 20 percent of the patients, and even then it merely extends life for a few months.

Lou Gehrig's disease has proven particularly hard for scientists and doctors to research, much less cure. One reason is that there is a problem: There is no centralized place where the data on this disease is collected. Researchers have only a patchwork of information to work with.

I introduced the ALS Registry Act last year to create a database at the Centers for Disease Control and Prevention to centralize research and information on Lou Gehrig's disease. This legislation would not guarantee a cure for Kathie and thousands of other Americans who suffer, but for the first time it would give them hope for new treatment and the prospect of a cure.

I was happy to see the House of Representatives embrace my legislation by an overwhelming vote of 411 to 3—411 to 3. When the ALS Registry Act reached the Health, Education, Labor, and Pensions Committee here in the Senate, it passed unanimously. It seemed at the time this worthy initiative was headed toward swift passage. Yet one Republican Senator prevented it from passing. Kathie Barrett continues to wait for Congress to act. Tens of thousands of others continue to suffer, as doctors and scientists are unable to gather and access the information that could help them.

The same Republican Senator who continued to hold up passage of the ALS Registry Act has, unfortunately, done the same for dozens of other worthy and overwhelmingly bipartisan bills. A few of these bills include, in this package alone, the Emmitt Till Unsolved Crimes bill. Emmitt Till's brother was here testifying about the importance of this legislation within the past week or so. This bill would help heal old wounds and provide the Department of Justice and the FBI tools needed to effectively investigate and prosecute unsolved civil rights era murders, and there are lots of them.

Another one of the bills is the runaway and homeless youth bill, which would provide grants for health care, education, and workforce programs, and housing programs for runaways and homeless youth, which is essential. We need that passed.

Another one of the bills is the combating child exploitation bill, which would provide grants to train law enforcement to use technology to track individuals who trade in child pornography and establish an Internet Crimes Against Children Task Force.

Another one of the bills is the Christopher and Dana Reeve Paralysis Act, which would enhance cooperation in research, rehabilitation, and quality of life for people who suffer from paralysis.

We tried to pass each of these bills separately, but we have had to face ap-

proximately 90 filibusters in the last 18 months. Each one of these filibusters takes about—if you put them together, it takes over a week. So we have been unable to do these one at a time.

Our efforts to pass these bills separately have been stalled by the objection of one Senator. All Senators should refuse to let that senseless objection be the last word on these important measures.

We have packaged these and other bills in the Advancing America's Priorities Act, to give the Senate the chance to overcome this senseless obstructing of our Nation's business.

Not a single one of the 35 bills in this package that has been packaged into one are partisan, nor are they controversial.

These bills have been passed by the House of Representatives overwhelmingly and their respective Senate committees with overwhelming support from Democrats and from Republicans.

The prime Republican obstructor to these bills asserts that he opposes them because they cost too much. That argument reflects an intentional mischaracterization of the legislative process. This is an authorization bill, not an appropriations bill. For those uninitiated in the ways of Congress, an authorization bill does not create 1 penny of spending. The Senator preventing this legislation from passing knows this, but he continues this facade. Spending decisions are made through an entirely separate budget and appropriations process. The appropriations process is when our limited Federal resources are divided. If Republicans or this Senator want to argue against any of these programs during the appropriations process, they have every right to do that.

In fact, the appropriations process affords them three separate opportunities: in the subcommittee, the full committee, and the Senate floor.

All these authorization bills do is move these initiatives forward in the legislative process. It allows them to be considered for the appropriations process. If we do not authorize them now, they will not be eligible for consideration during the appropriations process. Voting against them now would deny Congress the opportunity to fund any of them.

So do I hope that most, if not all, of these initiatives will be funded during the appropriations process? Absolutely.

I no longer am a member of the Appropriations Committee. I had been for 25 years or so, but I am not now because of my other responsibilities. So I hope they are all funded, but that is a different arm. I don't make that decision.

Congress must always be watchful and prudent with the taxpayers' dollars, and the person objecting to these is no more prudent than any of the other 99 Senators regarding the taxpayers' dollar.