



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 150

WASHINGTON, TUESDAY, SEPTEMBER 14, 2004

No. 109

## Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable LINCOLN D. CHAFEE, a Senator from the State of Rhode Island.

### PRAYER

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

Let us pray.

O Lord, our rock, hear our praise today, for Your faithfulness endures to all generations. You hear our prayers. Surround us with Your mercy. You are our strength and our shield. Listen to the melody of our gratitude, for You are the center of our joy. Thank You for illuminating our paths with Your precepts, dispelling the darkness of doubt and fear.

Today, guide our lawmakers. Be their shepherd in these dangerous times. Help them to not trust solely in human wisdom but to follow Your revelation. Lead them beside still waters and reward their faithfulness. May they find their refuge in You.

Lord, You are our song. Thank You for the gift of this day. Empower us to be doers of Your will and not simply hearers. Deliver us from evil as we keep our eyes on You.

We pray with grateful hearts. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable LINCOLN D. CHAFEE 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. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,

Washington, DC, September 14, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN D. CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. CHAFEE 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. FRIST. Mr. President, today we have a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the final 30 minutes under the control of the majority leader or his designee.

Following morning business, the Senate will resume consideration of the Homeland Security appropriations bill. As I understand, there are approximately five pending amendments the chairman will review to determine when we will be disposing of them. Therefore, Senators should expect numerous rollcall votes over the course of the day as we move toward completion of that bill.

We do have our recess between 12:30 and 2:15 for the weekly party luncheons.

While I mentioned we will have numerous rollcall votes, and I see the assistant Democratic leader, one thing we must do over the course of today and tomorrow is limit the amount of time for Senators to vote in the specified time. We have Senators who straggle in. Everyone has an excuse. We have been too liberal in allowing peo-

ple to come in late. In order to finish the bill, especially as we want to pay appropriate respect to the Jewish holiday tomorrow, I plead with our colleagues that they come as soon as they are notified there will be a vote. We give everyone a heads-up when there will be a vote. Come and vote and leave and efficiently use that time.

Mr. REID. Will the Senator yield?

Mr. FRIST. I am happy to yield for a question.

Mr. REID. Mr. President, I am so gratified to hear the leader speaking on this topic.

Yesterday, we had a vote that took 45 minutes. I suggested to the floor staff maybe we should do away with the 15-minute limitation and wait until the last person shows up. It is unfair to this body. I don't think the leader should plead with people to come. They would come very quickly if we start cutting off the votes. It is unfair to this body to wait around here while somebody is finishing a phone call or a workout in the gym while the rest of us are waiting to get work done.

Also, if I could, through the Chair, we want to finish this Homeland Security appropriations bill. We have been working through these numerous amendments. We are at a point where I believe we could finalize this bill.

Finally, as the leader knows, we wanted to have a cutoff on this. I understand the leader decided yesterday to take a look at it to see if there is something we could do to help the situation in Florida through this bill. I said yesterday—and still say this—let's finish this bill. We want to help Florida as much as we can, but I think, by trying to tie these two things together, it is not going to work very well.

I respectfully submit to the leader, let's try to push forward and have a timeline when we can finish this bill. It is an important piece of legislation. We understand that. But it would set such a good tone if we could finish that prior to the holiday beginning tomorrow.

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



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Mr. FRIST. I thank the Senator.

Mr. President, I do again restate and reemphasize the importance of finishing this legislation, either this evening or early Wednesday morning, so Senators can observe the Rosh Hashanah holiday appropriately. We want to allow people to have travel time tomorrow as well. But we must finish this bill. Again, the plea for efficiency, for amendments to be brought forward, and that we vote on time is all to restate the importance of dealing with this very important bill and completing this bill in a timely way.

We may well have, in addition to a busy session today, a busy session tonight in order to complete the bill. I know the Members continue to make inquiries as to whether we will finish tonight or in the morning. All I can say is we have to finish the bill. The holiday starts tomorrow, late afternoon, but it means, to give people appropriate travel time, we need to finish it, and we have time to finish it tonight or tomorrow. But I think how things go today and tonight will determine the schedule over the course of the day, tonight, and tomorrow. I will have further updates on that as we progress on the bill.

#### PORTRAIT PRESENTATIONS

Mr. FRIST. Mr. President, I do wish to alert colleagues to a special event being sponsored by the U.S. Senate Commission on Art today. At 2:30 today, after the policy luncheons, in the Senate Reception Room, just adjacent to where we are now, the portraits of Senators Arthur Vandenberg of Michigan and Robert Wagner of New York will be presented.

Members of the Vandenberg and Wagner families have traveled to Washington for this special event. Senator DASCHLE and I both will be on hand and will be making very brief comments.

I encourage our colleagues to take a few moments to come by and help commemorate these two real giants of the 20th century. It is an opportunity for us to express our appreciation for two distinguished statesmen and their contributions. It is also a time for us to honor this great institution.

We have the opportunity of being part of a very unique family, the Senate family, and today's presentation of portraits in the Reception Room is a reminder of the trust that is placed in us by our fellow citizens and, indeed, as we look to the past, by history.

As a sidenote, I have to say I am very proud that the portrait of Senator Vandenberg was painted by a Tennessean, Michael Shane Neal.

Mr. DORGAN. Mr. President, will the Senator yield for a question?

Mr. FRIST. Mr. President, if I could get through everything, I would be happy to yield the floor.

Mr. DORGAN. Thank you. Not yield the floor. I am asking if the Senator would yield for a question when he is finished.

Mr. FRIST. Yes, when I finish. Let me try to get through the announcements, the statements. Let me go through the material, and then I will be happy to yield for a quick question.

#### ROSH HASHANAH AND ANTI-SEMITISM

Mr. FRIST. Mr. President, tomorrow is the Jewish holiday Rosh Hashanah, and it is also called the Jewish New Year. It is one of the holiest days of the year in the Jewish faith for the Jewish people. Rosh Hashanah marks the anniversary of the creation of the world. It is a day for contemplation and prayer, to look forward to the year ahead, to reflect on past deeds, and to ask for God's forgiveness.

As our friends prepare to celebrate their holiday, I think it is appropriate for us to take time to reflect on our own deeds and the state of tolerance or, as I am pained to say, the rise of intolerance toward the Jewish people. A number of Senators will be speaking on the topic this morning, and I do urge my colleagues to listen and follow the issue closely. A sampling of anti-Semitic incidents just this summer really does paint a disturbing picture.

In Paris, anti-Semitic inscriptions were found stamped into a dozen books in the main library. The perpetrators stamped the edge of the books with the words "Against the Jewish Mafia and Jewish Racism" and then gave the Web addresses of anti-Semitic sites.

Anti-Semitic graffiti, including a sign saying "death to Jews" and a swastika, was found scrawled on a wall on the grounds of Notre Dame Cathedral.

Sixty gravestones were desecrated with swastikas in a Jewish cemetery in Lyon.

France was not alone. Last month, in Germany, thugs vandalized a Jewish monument.

In Belgium, four Jewish teenagers were assaulted. One of the Jewish students was stabbed in the back and his lung was punctured.

In New Zealand, a Jewish chapel was burned down and up to 90 Jewish headstones were pulled out of the ground and smashed.

In Canada, a synagogue was vandalized with graffiti, swastikas, and anti-Semitic slogans.

These are just a few of the incidents that have occurred in recent months. Leaders in the Jewish community are understandably concerned.

I urge my colleagues and my fellow Americans to share their concern.

We know the history. We know where anti-Semitism can lead. It is our duty to stand firm against bigotry and intolerance. We cannot allow history to repeat itself.

Again, I make these statements in part because of the Jewish holiday tomorrow. A number of people have come forward to express their sentiments to us in leadership. I know further remarks will be made on the floor in morning business on that issue.

Mr. President, at this juncture, I am happy to yield for a question.

Mr. DORGAN. Mr. President, I thank the majority leader for yielding for a question.

#### REIMPORTATION OF PRESCRIPTION DRUGS

Mr. DORGAN. Mr. President, this morning, again in a Congress Journal, it says: "Frist Decision to Delay Reimportation." This is the issue of the reimportation of prescription drugs, in order to put downward pressure on drug prices, as I mentioned to the majority leader last week on the floor of the Senate.

I harken back to about midnight, March 11, in the Senate, on the floor of the Senate, when we were in session very late, to a statement put in the Senate RECORD by the majority leader saying "the Senate will begin a process for developing proposals that would allow for the safe reimportation of FDA-approved prescription drugs."

I say to the majority leader, I hope very much that his decision on what the remaining schedule will be for this Senate will include an opportunity for us to, on the floor of the Senate, consider legislation dealing with the reimportation of prescription drugs.

We have bipartisan legislation in the Senate. We also have a House-passed bill that is on the calendar. As I indicated to the Senator from Tennessee last week, it is my intent, and the intent of others—Republicans and Democrats—to push this issue to the floor. But I hope we would not have to push it in light of the statement by the majority leader on March 11, 2004.

I ask the Senator to respond.

Mr. FRIST. Mr. President, I would be happy to respond. Really, we need to clarify because I know a lot of statements have been made to the press that I made a commitment to the distinguished Senator to have a vote on the floor. I think we need to go to the statement he just read and see what was actually both said and the commitment that was made.

Let me read the statement again. He just read it. The statement was—and this statement made by me—"the Senate will begin a process for developing proposals that would allow for the safe reimportation of FDA-approved prescription drugs." So I do not think it is right for Senators on the other side of the aisle to characterize that statement as a commitment to bring it to the floor, have a vote on the floor of the U.S. Senate. So that is No. 1.

No. 2, since that statement was made—and I think it was March 11—it was with the understanding to do exactly what was said; that is, to begin a process that is deliberate, that is thoughtful, that is inclusive, that captures the ideas of a whole range of U.S. Senators, with experts coming in to testify, to talk, to discuss, in committees, outside of committees.

Since March 11, a tremendous amount has been done. Again, I will