



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, THURSDAY, NOVEMBER 17, 2005

No. 153

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray.

O God, our Father, we come to You not because we are strong but because we are weak; not because we have merits of our own but because we need mercy and help. We come relying on Your strength to do in and through us what we cannot do in our own power.

Give us the grace to accept Your guidance, to obey Your word, and never to leave Your path. Keep our faith true to the end.

Strengthen our Senators for the challenges of today. Keep them from looking so longingly at doors closed that they cannot see other doors opening before them.

Help each of us to be so pure in heart that we may see You. We pray in Your righteous name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 30 minutes, with the first half of the time under the control of the minority leader or his designee and the second half under the control of the majority leader or his designee.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Today, we will start with a 30-minute period for morning business. After morning business, we will resume consideration of the tax reconciliation bill. This morning when we return to that bill, there will be 10 hours remaining under the statutory time limitation. If all time is used, the debate will not run out until 8 tonight, at the earliest. I hope that we will not need all of that time.

I encourage the chairman and ranking member to yield back time if it is not necessary so that instead of finishing at 8, within that statutory limit, it would be earlier. If there are to be a series of votes, we could start those votes at a much earlier time. If all of that time is used until 8 and we have votes, it is going to be a very long night. So, again, I encourage the chairman and ranking member—

Mr. REID. Will the distinguished majority leader yield?

Mr. FRIST. I would be glad to.

ORDER OF PROCEDURE

Mr. REID. I have spoken to our manager of the bill, Senator BAUCUS. He would agree to have the time that is used for the votes to be counted against the time. That has not been entered yet. I do not think Senator GRASSLEY would have any objection to that. Maybe we should enter into that agreement at this time.

Mr. FRIST. I think that would be ideal. I still think we might be able to yield some time back in addition to that.

Mr. President, I ask unanimous consent that all time required for voting be part of the 10 hours that remain in terms of the statutory limit.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. FRIST. Mr. President, in addition to that, I know everybody is concerned about travel plans and when we are going to leave. I have been very clear throughout that we have business to do. This is the last legislative effort before we leave for Christmas, but it is also important that we recognize we still have four conference reports that are open that we are waiting to bring and take to the floor. So I encourage our colleagues to try to close those reports as soon as possible. Again, there are four that are outstanding.

In addition, I made it very clear that we are going to address the PATRIOT Act legislation before we leave. There are good discussions underway. I know those discussions were continuing late into last night. I encourage all of our colleagues to understand the importance of that legislation. We want to get it right and make sure that it is in good shape to bring to the floor, but we do need to address that before we leave.

Terrorism reinsurance, TRIA, is another issue that is coming along well. It is very important legislation, and there has been a lot of work, but we need to actually bring that to the floor as soon as possible. We have a number of nominations that are being considered, and we will have to make certain decisions on those over the next 24 hours.

Lastly, I am running through the list in my own mind of things we have to do before we leave, a continuing resolution—I was talking to the Democratic leader about the continuing resolution which we have to do to keep the Government open—will be coming from the House sometime today. Because the President has to sign that by tomorrow night, we need to act expeditiously on that continuing resolution because we actually have to physically send that to the President, who is overseas at this point.

So we have a lot of work to do. We will stay here tomorrow and into Saturday and, if we have to, go into the

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



Printed on recycled paper.

S13067

early part of next week, which we should not have to do but we will in order to finish the Nation's business. The time that we come back in December, if we come back in December—and I think that the Democratic leader and I have been very open that we have to plan on coming back for a short period of time, not knowing what we are going to be able to finish today, tomorrow, Saturday, and Monday, but in all likelihood we will have to come back for a couple of days in December, but that is not a time that we will be doing new legislation. I do not want anybody to think that if we do not do it now, we are going to be doing it in December because December will be to come in for as brief a period as possible to put the final touches on bills we cannot finish. So we have to finish the work right now.

I am going to make a brief statement on another issue but will turn to the Democratic issue on the schedule.

The PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. REID. Just a question. If it is determined that we come back, it is my understanding it would not be until the 12th of December, at the earliest; is that the Senator's feelings at this time?

Mr. FRIST. Mr. President, again, because it is so unclear to people, what we have said is it will not be before December 12. It will not necessarily be on the 12th either but during that week. I think all of our Members—because there are a lot of travel plans that have been made and people are going back to their States and overseas, we are going to have to keep that week flexible, but it would be the intention to come back as late in that week as possible, in large part because we are waiting for the House to catch up—that is the way I think of it in my own mind—to catch up with legislation. I think that we need to keep flexible. My intention is not to bring people back for an entire week.

Again, on scheduling, the Democratic leader and I talk about it every day, so we will keep people posted, again recognizing the importance of that time to be spent with constituents, family, and overseas.

GETTING THE JOB DONE

Mr. FRIST. Mr. President, there is a lot going on in Washington. The environment seems to be very partisan. When we look at the newspapers, we see the comments that have been made back and forth, but I have to take a couple of minutes and restate what I have mentioned and implied over the last several days; that in spite of all of that, in spite of the vitriolic comments that are being made, the Senate, this institution, is doing its work. It is governing in a way in which I think we can all be proud. If we look over the last 48 hours, one will see how our overall agenda of renewal and reform is being accomplished. We have had sev-

eral legislative advances that do make America safer and more prosperous. As I mentioned, we will be continuing our work through today, tomorrow, and possibly Saturday, delivering these meaningful solutions to the real challenges and real problems that everyday people are having across this great country. It is important for people to be reminded of that.

I think of four things that have been started in the last 48 hours: The Defense authorization bill, a very important bill that we spent a good amount of time on with a lot of amendments, but ultimately it underscored our absolute commitment to our troops overseas and to the goals that have been set out by this administration. So I am very proud that we did pass that bill. It gives our soldiers the resources, the training, the technology and the support they deserve and that they absolutely need to win the global war on terror. I refer to it occasionally—I actually put it on my Web site on the front page, the Zawahiri and Zarqawi letter which outlines what the intentions are of al-Qaida in this war on terror. The appropriate responsiveness of this body in this Department of Defense authorization bill speaks very importantly to the response that we need to give to these challenges. From cutting-edge technologies to the personnel protection systems, the bill keeps our military strong so that we absolutely will win this war against terror.

We made the clear-cut statement in this bill that America is not going to cut and run, as some would have us do; that we are going to support and continue to train the Iraqi forces until they are strong enough to fight on their own. Also, we expressed our absolute support for this President and his policies through this bill.

The second issue, along with defending our national security, we are strengthening America's retirement security. Ten days ago, people said there is no way this pensions bill is going to get through the Senate. Yet yesterday we passed it, and it spoke very loudly to the fact that the defined pensions benefit system is a ticking timebomb, that over 44 million Americans who are legally covered by the American Government's guarantee are in jeopardy of losing their hard-earned retirement benefits. This bill makes it clear that promises made by employers are promises to be kept to their employees. So we passed that bill yesterday, again a major step forward.

The third area, the vital function of Government. Yesterday, we passed the Commerce-Justice-Science appropriations bill. Along with funding these Federal agencies, the CJS bill includes significant Katrina-related responses. As we all know, more than 350,000 families have been made homeless by the Katrina disaster. A number of us have participated over the course of this past week in a Habitat for Humanity bill project at the Capitol. It reminded

me how important it is to marry the nonprofit sector, with the nongovernmental organizations, with what we on this floor have done in response to Katrina and the natural disasters that have struck both this country but indeed around the world. That CJS appropriations bill, in part, reflects the public response in that it provides Federal housing assistance for up to \$600 per family per month for up to 6 months to help get those families back on their feet.

This body continues and will continue with its commitment to assist this renewal and recovery from one of, if not the greatest, natural disasters this country has ever seen.

Looking a little more globally, another bill that was passed last night that reflects America's compassion for neighbors around the world was a bill that means a lot to me personally. It is a bipartisan bill in this body called the Water for the Poor Act. This bill addresses the issue that 1.2 billion people in this world do not have access to what we have sitting on our desk as we are here speaking—clean water. Mr. President, 1.2 billion people do not have access to water they can look at and say it does not have bacteria or viruses in it that will make me ill.

The lack of clean water kills more kids under the age of 6 than any disease in the world today, although most people don't pay a lot of attention to it, so this body passed a bill last night that addresses that, the Water for the Poor Act. We had bipartisan legislation on the floor of the Senate sponsored by myself and the Democratic leader upon which this bill is based. It establishes for the first time as a part of our foreign policy the development of water interests as we consider foreign development aid, this whole provision of safe, clean, renewable water for poor countries. It recognizes that unsafe water in developing countries kills a child every 15 seconds. Every 15 seconds a child dies because of lack of access to that clean water. It contributes to poverty, it contributes to unstable governments, and thus the importance of having clean water be a part of our foreign policy, foreign development assistance to these countries.

In combination with the \$200 million recently enacted for safe water in developing countries, this is a critical first step in beginning to solve what is a seemingly insurmountable problem but is a solvable problem. It looks at compassion, it looks at protection, it looks at accountability, all of which must be injected in our foreign policy when it comes to foreign aid.

One last issue. In terms of progress made over the last 40 hours, the Banking Committee reported Tuesday the nomination of Ben Bernanke to succeed Alan Greenspan as the next chairman of the Federal Reserve. I am pleased the committee has acted on Mr. Bernanke's nomination and that he has pledged to maintain the Federal Reserve's statutory independence while