



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, MONDAY, NOVEMBER 17, 2008

No. 175

House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, November 19, 2008, at 1 p.m.

Senate

MONDAY, NOVEMBER 17, 2008

(Legislative day of Wednesday, September 17, 2008)

The Senate met at 12 noon and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

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

Let us pray.

O God of new beginnings, as our Nation greets the dawn of fresh opportunities and daunting challenges, inspire the Members of this body to trust Your sovereignty. May they remember the words of the 75th Psalm, declaring that You place leaders in positions of authority.

As we pray for our outgoing and incoming Senators, help them to place their ultimate trust in You, the author and finisher of destinies.

Today we also pray for our Government's executive branch. Sustain our President in the remaining days of his administration. Sustain also the President-elect, Barack Obama. Give him the integrity of Joseph, the faith of Moses, and the wisdom of Solomon. Prepare him to mobilize the branches of our Government toward shared objectives that honor Your name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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, November 17, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

ORDER FOR MORNING BUSINESS

Mr. REID. Mr. President, following my remarks and the remarks of Senator MCCONNELL, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak for up to 10 minutes each.

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

SCHEDULE

Mr. REID. Mr. President, I, of course, welcome everyone back for what we hope to be a short period of time before Thanksgiving. We, of course, have completed this election. We still have three Senate contests where we are waiting to get the results. One of them should be decided in the next few days, the one in Alaska; the one in Georgia will be decided on December 2; and the one in Minnesota will take, I am told, a month or 6 weeks. In that race they have 3 million hand ballots, and Minnesota is going to count every one of them. So that is going to take a while.

In the summer of 1858, a young State legislator from Illinois accepted his party's nomination for the Senate with a timeless speech that echoed from coast to coast. That speech has been recited many times. He said:

"A house divided against itself cannot stand." . . . I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided.

That is what he said. One hundred fifty years later, a young Senator from the land of Lincoln stood on the very same steps on which Abraham Lincoln stood to announce his pursuit of his party's nomination for President by calling upon our country to not just believe in his ability to change Washington but to believe in what we can do together if we set aside what divides us and embrace a common purpose.

Over the past 21 months, Barack Obama has had a message of hope much like Abraham Lincoln's which has spread across this country like a tidal

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



Printed on recycled paper.

S10535

wave. Two weeks ago tomorrow—it seems like a long time ago; it was less than 2 weeks ago, Mr. President—Americans waited on lines that stretched for blocks to answer Senator Obama's call to cast their vote for change.

Yesterday, Barack Obama officially ended his term in the Senate and traded up to a new title: President-elect of the United States. It has been a pleasure to get to know this fine young man and work with his remarkable intellect during his short tenure in the Senate. His presence in these Halls and on the Senate floor will be missed. But the Senate's loss is America's gain. I look forward to working with President-elect Obama, as we all do, as he concludes one chapter and begins another in his life. But, as no one knows better than the President-elect, our joy in his election is tempered by a sober realization of the challenges, great and grave, that lie ahead.

In the 6 weeks since we have been gone, our economic crisis has deepened. We have seen numerous bankruptcies, hundreds and hundreds of thousands of jobs lost, consumer confidence plummet, and unemployment go up to 6.5 percent. Major companies and some minor companies have gone bankrupt, such as Mrs. Fields cookies, one of my favorite places to go in a busy mall in Las Vegas—because nearly every mall you go to has declared bankruptcy. That is only one example.

This morning we learned that Citigroup intends to cut an additional 50,000 jobs. They have already cut 20,000. We are seeing a potential meltdown in the auto industry, with consequences that could impact directly upon millions of American workers and cause further devastation to our economy. If ever there were a time for working together, this is it. Senators have a choice to make. We can wait until January when we have a new Congress and a new President or we can start trying to work on some of these problems now. If we work together in the coming days, perhaps we can begin delivering solutions for the American people.

Today we will introduce a comprehensive economic stimulus plan worked out with the Appropriations, Finance, and Agriculture Committees. This legislation will invest in infrastructure to create jobs, extend unemployment insurance for those who are out of work, provide food stamps to help those struggling families make ends meet, and provide State fiscal relief to prevent States from being forced to cut services and raise taxes. There are other things in it, and I need not go through all of that. It is a package of some \$100 billion.

We also put in aid for the ailing U.S. auto industry. The Treasury Department has acknowledged they could provide the auto companies the temporary assistance to keep automakers solvent by taking money out of the \$700 billion we have already provided to the Treas-

ury Department. But the Secretary of the Treasury said he chooses not to do that because all it would take is one stroke of a pen, and that problem would be solved.

We also know that Federal Reserve Chairman Bernanke has authority to provide funds to the automobile industry, but thus far neither the Treasury Department nor the Federal Reserve has done so, and from what we have heard, they have no intention of doing so in the near future. But this week we can, Congress can, if we move forward, protect and create American jobs, help working families, and prevent our economy from falling even further into recession. In the event there is objection to passing this important legislation, we will have an opportunity to vote on a second piece of legislation that consists solely of unemployment insurance and relief for the auto industry and the auto industry's workforce. So we have the big stimulus package. If we can't get that, then we will move to the unemployment compensation extension together with the auto bailout.

I ask my colleagues to show the American people in the face of tremendous economic pain and uncertainty we will not have to wait until January.

On another matter, Senator BENNETT and I have made a decision that rather than move forward on the lands package, which is hundreds of bills that are so important to a lot of people, a lot of Senators, and certainly a lot of people around the country, we are better off waiting until we come back in January. Senator BENNETT and I believe we will have more votes then. It will be easier to do it at that time.

But one of the first things we are going to do is, there will be a bipartisan piece of legislation introduced that will include all the stuff that has been held up these past 2 years, the so-called lands bills. That will be the first or second thing we do when we come back in January. We will move forward on that package by using rule XIV. I think that serves everyone's interests. We have been told that if we bring it up today there would be a requirement to read that bill. It would take more than 24 hours to do that. It is obvious that likely there would not be the votes for that.

So, as I said, Senator BENNETT and I believe that is the best way to proceed, and I am convinced that is right. I have spoken to other people here who are very interested in this, Senator SALAZAR and others who believe this was so important to get done, but I think discretion is the better part of valor and I alert everyone we will do this when we get back.

So I look forward to this week. We have these bright new Senators coming. In just a few minutes I will meet the new Senator from Idaho, whom I have not met. I have heard such good things about him. He has a remarkable record. He served as a Governor of the State of Idaho and then Lieutenant Governor of the State of Idaho and now

is the new Senator replacing Senator CRAIG.

I had the opportunity to meet with Secretary Johanns, the new Senator-elect from Nebraska. What an outstanding person he is. I am sure he will be a great addition to the Senate. And I have had an opportunity to meet some of the Democrats who are coming in.

I think this is an opportunity for us to become closer as a Senate family. I certainly hope we can do that. I hope we can look forward to working together, not as partisans but as public servants, all devoted to delivering the change this country needs and these difficult times demand.

For me personally, I think this is also a time not to look back. This has been a very difficult 2 years that will end come January 1. The Senate was evenly divided. I mean, how much more evenly divided could it be, with TIM JOHNSON taking ill and the fact that he was not here, able to operate. So we had a Senate where we didn't have a majority. There were other things that came up where we as the majority didn't have a majority.

But there is no need to look back; we need to look forward. There were reasons for everyone doing what they did. We can let the historians write about what took place in the past. Let's look forward to what we can talk about as a better future for our country. With the margin coming in January not being as close as it has been, I want everyone within the sound of my voice to know that we don't know how these three Senate races are going to come out. They are still counting the votes. We don't know what our majority is going to be. But whatever it is, if it is what it now appears to be or we pick up one of the Senate seats or two of them or all of them or whatever it is, I make a commitment to everyone that the only way we can succeed is by working together.

Everyone realizes the House of Representatives has different rules than we have. They can push things through because they have a majority. Perhaps we can push through some things because we have a majority, but I don't want to do that. I want to pass things because it is good for the country and we do it on a bipartisan basis. We need to work together.

We have Senators of goodwill who are willing to set aside their partisan differences and move forward. That is what we need to do. I have said many times, if we are able to accomplish things here there is credit to go around to every Senator. But if we continue to fail in our accomplishments, there is blame to go around for everyone.

I hope we all look forward to the coming year, one of hope and necessity to change things because we obviously have a big hole, and we have to try to find our way out of it. The best way to do that is to have 100 people working in the same way.

RECOGNITION OF THE
REPUBLICAN LEADER

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

SENATE GOALS

Mr. MCCONNELL. Mr. President, first, I would like to congratulate President-elect Obama on his victory. It is a rare honor for the Senate to send one of its own to the White House. In fact, I think it has only happened two other times, Warren G. Harding and John F. Kennedy, who went directly from the Senate to the White House. Regardless of party, every one of us, I am sure, feels a certain institutional pride in the event.

I called the new President shortly after his victory to offer my congratulations, and he was gracious in congratulating me on my own victory when he returned the call. As it happened, when he returned the call, I was grocery shopping in the local Kroger and enjoying the people passing by saying "Congratulations."

There I was in front of the cereal talking to the new President on my cell phone. What I told him was we would all be here to work with him once he takes office. I think both of us are eager to confront the challenges ahead. I told him he can expect cooperation on the confirmation of qualified nominees to key Cabinet posts. Faced with two wars overseas and a complex financial crisis at home, the American people should not have to worry about a power vacuum at places such as the Pentagon, the State Department, Treasury or the Department of Homeland Security.

Now, history offers a fairly clear path to success or failure for new Presidents. It is there for every new President who comes in to observe. The path I have discussed with the President-elect is one that can lead to success. As I see it, we face a simple choice: We can either work together to confront the big issues, the big issues of the day that neither party is willing to tackle on its own or the majority can instead focus on narrow partisan issues that appeal to a tiny sliver of the populace but which lack the support of the American mainstream.

In my view, the choice is rather simple, but the work that follows will not be. So I hope President-elect Obama will go after the big things and go after them early. If he does, our chances of achieving a positive result for the American people will be greatly increased.

We can start with some of the things President-elect Obama spoke about on the campaign trail, such as cutting spending, paying down the national debt, providing speedy tax relief, committing to a long-term strategy for energy independence, and reining in our out-of-control entitlement spending that threatens to consume 70 percent

of the Federal budget in 9 years. Let me say that again: Our out-of-control entitlement spending will consume 70 percent of the Federal budget in 9 years.

These are the challenges on which Senator Obama campaigned. They also happen to be issues upon which Republicans and Democrats should be able to reach some agreement. The American people are looking to us to resolve these issues, and Senate Republicans are eager to get that work done.

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

Mr. REID. Mr. President, let me say through the Chair to my distinguished counterpart, congratulations on your victory. As George Will, the esteemed columnist, wrote over the weekend, he compared your victory to Henry Clay, and I know the Senator is from the State of Kentucky. So I congratulate you on years of hard work.

Mr. MCCONNELL. I thank my friend, the majority leader.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

OHIO'S VETERANS

Mr. BROWN. Mr. President, Ohio is home to more than 1 million veterans, dedicated men and women who have served in every branch of our Nation's Armed Forces and every major conflict in the modern era. They have served to keep our freedoms, so our Nation could remain secure. Ohioans have a long-standing tradition of service to our country. Ohio's veterans include Presidents and generals, from Grant to Sherman, and pioneers of American advancement, such as Neil Armstrong, John Glenn, and James Lovell.

But for every well-known American veteran, there are, of course, many more heroes who have quietly served this Nation and my State of Ohio with honor and distinction.

As our Nation looks forward to the return of our loved ones from the bat-

tlefield, all of us remember the tremendous contributions our veterans have made to Ohio and to our country. We are humbled by their patriotism and their bravery.

On Veterans Day and every day, it is my honor to thank Ohio veterans and their families for their service to our great State and our great Nation.

The Ohio Veterans Hall of Fame was created in 1992 to recognize the lifetime contributions of veterans, not just those who serve their country in the Armed Forces but also those who continue to give back since they left the service. I honor, congratulate, and salute all of them.

The Ohio Veterans Hall of Fame Class of 2008 is made up of several men and women whose stories I would like to briefly tell.

Samuel Arnold, from Butler County, is a U.S. Army veteran, Vietnam war. Arnold is a member of the Veterans of Foreign Wars Post 4369 board of trustees and provides dentistry to veterans who reside at Joseph House at little or no cost.

Paul Baldrige, Jr., from Franklin County, is a U.S. Navy veteran. Baldrige has served in a number of veterans organizations, including the Navy League of the United States, where he has held positions as State president, national director, and vice president.

Oscar Decker, Jr., from Union County, is a U.S. Army veteran, Army National Guard and Army Reserve in World War II and Vietnam. Decker organized the Union County Military Family Support Group in 2003 and was awarded the Legion of Honor Award from the Chapel of the Four Chaplains and the American Legion of Merit.

Rebecca Eden, a registered nurse from Cuyahoga County, is a U.S. Army Nurse Corps veteran, World War II. Eden is a lifetime member of Gold Star Wives and AMVETS. She was presented with the Veterans Affairs Commendation given by the Ohio Veterans Commission for helping veterans pursue educational goals in 1982.

Eugene Fitzthum, from Erie County, is a U.S. Army veteran, World War II. Fitzthum was presented the John L. Smith AMVET of the Year Award for all his volunteer work for AMVETS Post 17 in 2008 and Volunteer of the Year from the Ohio Veterans Home in 2006.

Nada Fleming, a registered nurse from Cuyahoga County, is a U.S. Navy veteran, Desert Shield/Desert Storm. Fleming is a past commander of Seven Hills VFW Post 7609 and was appointed as National VFW Nurse of the Year for 2006-2007.

Robert Haas, from Stark County, is a U.S. Army veteran, Korean war. Haas served as the volunteer liaison officer for the U.S. Military Academy, West Point, for the past 29 years. He is a founding member and past president of the Greater Cleveland Chapter of the Korean War Veterans Association No. 69.