

[Rollcall Vote No. 1 Leg.]

YEAS—91

Akaka	Dole	McCaskill
Alexander	Domenici	McConnell
Allard	Dorgan	Mikulski
Barrasso	Durbin	Murkowski
Baucus	Ensign	Murray
Bayh	Enzi	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Biden	Graham	Pryor
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Roberts
Brown	Harkin	Rockefeller
Brownback	Hatch	Salazar
Bunning	Hutchison	Schumer
Burr	Inhofe	Sessions
Cantwell	Inouye	Shelby
Cardin	Isakson	Smith
Carper	Johnson	Snowe
Casey	Kennedy	Specter
Chambliss	Kerry	Stabenow
Coburn	Klobuchar	Stevens
Cochran	Kohl	Stevens
Coleman	Kyl	Sununu
Collins	Landrieu	Tester
Conrad	Lautenberg	Vitter
Corker	Leahy	Voinovich
Cornyn	Levin	Webb
Craig	Lieberman	Whitehouse
Crapo	Lincoln	Wicker
DeMint	Lugar	Wyden
Dodd	Martinez	

NAYS—3

Byrd	Feingold	Sanders
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NOT VOTING—6

Clinton	Menendez	Thune
McCain	Obama	Warner

The bill (H.R. 4986) was passed.

The PRESIDING OFFICER. The motion to reconsider is considered made and laid on the table.

The majority leader is recognized.

UNANIMOUS CONSENT REQUEST—  
S. 2541

Mr. REID. Mr. President, I am glad we have a large number of Senators here today. I want to go over the schedule for this week.

First of all, I am going to ask unanimous consent, and I will do that now, that the Senate proceed to the consideration of S. 2541, which is a 30-day extension of the Foreign Intelligence Surveillance Act we are going to be dealing with; that the bill be read three times, passed, the motion to reconsider be laid upon the table, with no intervening action or debate.

The reason I ask consent on this legislation is that this bill expires on February 1. The House has not acted on this bill yet, so when we pass this bill, the House has to pass their bill, and there has to be a conference. I hope we could have this extension. I need not belabor the point. I asked this consent before we left; I ask it again.

The PRESIDING OFFICER. Is there objection? The Republican leader.

Mr. McCONNELL. Mr. President, reserving the right to object, and I will be objecting, let me say, my good friend, the majority leader, and I have discussed this issue. There is a significant amount of time left this month to pass this bill in the Senate. A conference may or may not be necessary.

Back in August, when we did an extension of the FISA bill, the House simply took up the Senate-passed bill and passed it, and it went down to the President for signature. So I think the discussion of extension, particularly when, hopefully, we will turn to this bill in the very near future in the Senate, is not timely and, therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, for all Members here, we are on the Indian health bill now. I hope we can complete that bill tomorrow. The Republicans are having a retreat. They are having theirs tomorrow; we are going to have ours in 10 days or so. There will be activities on the Senate floor tomorrow, but there will be no votes. If there are any votes tomorrow, it will be after they finish their retreat, after 6 o'clock tomorrow night.

So we hope some work can be done on this bill tomorrow. We know the Republicans will be absent, so that makes it very difficult.

We have to finish FISA this week. Everyone should be aware of that point. We have to finish it this week. I know there are important trips people want to take. We have the very important economic conference in Davos that Democrats and Republicans alike would like to go to.

I say, unless we finish the bill Thursday—and we will not be able to get to it until tomorrow night—unless we finish the bill on Thursday, then we are going to have to continue working this week until we finish this bill. We have to finish this bill. It is not fair to the House to jam them so that they have 1 day to act on this legislation. If we finish it this week, I have spoken to the Speaker today and they will work to complete this matter next week. It would be to everyone's advantage if we had more time to do this.

I respect what the Republican leader has said, but everyone here should understand all weekend activities have to be put on hold until we finish this bill. Now, it is possible we could finish it fairly quickly. We are going to work from the Intelligence bill, and if amendments are offered that people don't like, I would suggest they move to table those amendments. Because if people think they are going to talk this to death, we are going to be in here all night. This is not something we are going to have a silent filibuster on. If someone wants to filibuster this bill, they are going to do it in the openness of the Senate.

We are not going to say, well, we can't get 60 votes on this. We are going to work toward completing this bill as quickly as we can. I would rather we didn't have to do this. And maybe if we get to it on Thursday, we can finish it Thursday. If not, hopefully on Friday.

But I know of no alternative. This work period is very short. We have, after this week, only 3 weeks.

I have had many meetings, and they have been bipartisan in nature, to try to come up with a stimulus package that is so important to our country. Everyone has seen what has happened to not only our own stock markets but those around the world. We may not be in a recession, but people are looking at an economic downturn as concerning to everyone, including the President. So we have a lot to do this work period. I have only mentioned a couple issues we need to work on, but there are a lot of others, of course, we need to do also.

UNANIMOUS CONSENT REQUEST—H.R. 1255

Madam President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 213, H.R. 1255, Presidential Records Act Amendments of 2007; that the amendment at the desk be considered and agreed to; the bill, as amended, be read a third time, passed, and the motion to reconsider be laid upon the table; that any statements relating thereto appear at the appropriate place in the RECORD as if given; and that there be no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCONNELL. Mr. President, on the issue of FISA, let me second the observation of the majority leader. There is no more important issue for us to deal with in terms of protecting the homeland. I agree with his decision that we press forward on FISA and get it out of the Senate—but not just get it out of the Senate, get it out of the Senate and to the House in a form the President will sign. Nothing is more important to protecting the homeland than getting this done and getting it done properly.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Vermont.

Mr. LEAHY. Mr. President, we have a number of Members who are supposed to go to the Davos economic summit tomorrow night, and I would note I have talked with Senator BENNETT of Utah, who is the senior Republican on that trip, and the trip that is set to leave tomorrow night will not. We will put it on hold until Thursday, to determine whether we can leave on Thursday.

If I could have the attention of the majority leader for a moment. I appreciate the majority leader has been very clear. I happen to concur with him that this is important and we should finish it. All we want to do is to know how it will go. There is a Judiciary Committee amendment to the bill. I would not anticipate taking a great deal of

time on that, but I think the distinguished majority leader is doing the absolute right thing.

He has the worst job in America, trying to accommodate the schedules of 99 other people, plus his own, which usually comes in number 100 out of the 100. I am not in any way suggesting we change for the Davos summit. I will keep in touch with him, Senator ROCKEFELLER, and others as we go forward. If it is possible for us to leave Thursday night, we will be able to leave Thursday night. But I would not suggest the bipartisan delegation go to Davos if this matter is pending.

I appreciate the distinguished leader spending a lot of time on the phone over the weekend and again today and I appreciate his consideration.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. If I might address the majority leader for a moment, we have had a great deal of debate today on the Indian Health Care Improvement Act, and I appreciate, as I said earlier, the willingness of the majority leader to bring this bill to the floor of the Senate. I know it deals with about 4 million Americans. But the fact is there are people dying, dying in this country, because of inadequate health care for a trust requirement, a responsibility our Government has for the health of the American Indians.

I know we will be considering that issue still tomorrow. I talked to Senator COBURN, who indicated he has some amendments and will be here tomorrow to be discussing the bill. My hope is we could get the Senators to come and offer amendments, that we can finish these amendments, and for the first time in 10 years get this bill passed. Senator MCCAIN, when chairman of this committee; Senator Ben Nighthorse Campbell, when chairman; and now myself, along with Vice Chair MURKOWSKI, have worked hard to get this done. We are so close, and I appreciate the cooperation of the majority leader.

I understand we will have to move to FISA at some point, but I know the majority leader wants to give us fair opportunity to consider these amendments and see if we can finish in a day or so, and I hope that can be the case.

Mr. REID. Mr. President, through the Chair to my friend from North Dakota, we have a Presidential debate going on now. Democrats and Republicans are talking about health care. I say to my friend, there is no place, no people in America more badly in need of health care than Native Americans. In Nevada, we have 22 different tribal organizations. The sickest, the most dependent people on health care are Indians. We had hospitals that used to exist where they could go, but they are gone. We had a hospital that was brand new. It was never staffed. The people have to drive 110 miles over the worst

roads in Nevada to go to the hospital—these Native Americans.

So I say if we, as a people, have any concern about health care, please direct it to the Native Americans. No one needs it more than they do. That is what this legislation is all about. We have legal responsibilities to take care of it, and we have neglected those responsibilities. We as a Federal Government have neglected those responsibilities.

So I so appreciate the chair of this committee, the ranking member of the committee, Senator MURKOWSKI of Alaska, and I hope the two of you can work hard to get us a piece of legislation we can send over to the House and that the President will sign it. People desperately need this legislation.

Mr. DORGAN. Mr. President, I thank the majority leader. I understand we are going to need to move off and go to FISA at some point. We need some time, at least another day, to have some amendments, and then I think we can finish this bill.

Frankly, we have a trust responsibility. We have signed treaties, and this great country needs to keep its word. It has not kept its word on Indian health care. That is the reason we are on the floor of the Senate. So I wanted to make this point as we move to consider all these other priorities, that one of the significant priorities is to get the amendments on the floor, get them debated, have time agreements, and let us get this bill passed. It is 10 years late, but let us at least pay respect to our word, the commitments we have made, the treaties we have signed, and the trust responsibilities that are ours.

I heard someone say, people aren't dying over this. They are dying over this, I guarantee you. I will get you their names. There are people who deserve health care who aren't getting it, and the fact is people are dying today as a result of it. Ten years later we ought to pass this legislation. I have worked hard with Senator MURKOWSKI, Senator MCCAIN, and so many others to move this legislation. All we ask is fair opportunity to get the amendments to the floor and get them considered and voted on and let us do the right thing.

Tomorrow, I will be back. I do have great passion about this because I have seen people who are sick, I have seen people who are suffering and I have seen people and talked to people who had children die and spouses die because of inadequate health care, because of full-scale health care rationing in this country for American Indians. That is unacceptable, and it ought to be unacceptable to every single Member of this Senate.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 279, received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 279) providing for conditional adjournment of the House of Representatives.

Mr. DORGAN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 279) was agreed to.

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS OF 2007—Continued

The PRESIDING OFFICER. The Senator from Alaska.

Mrs. MURKOWSKI. Mr. President, I wished to echo the comments of my colleague and my chairman on the Indian Affairs Committee. Reauthorization of this Indian Health Care Improvement Act is something that is long overdue. When we sat down as the chairman and vice chairman of this committee to assess the priorities of the committee, it was absolutely clear the one thing we could do now to help make a difference in the lives of American Indians and Alaska Natives was to improve the health care system, the delivery, and the access.

The last time this was updated, if you will, was 1992. Think about what has happened in health care and the technologies and the techniques since 1992. We owe it to our constituents across the country—not just in Alaska, where we have 225 tribes, but from California to Maine, from the Dakotas down to Florida—we owe it to all our constituents to finally see this reauthorization through. We do acknowledge there are some issues that are as yet unresolved, but it is not as if we have not had the time to resolve them. The time is now to make it happen.

I, too, would urge the Senate to work together, as the chairman and I have, in a very cooperative, very bipartisan manner to figure out how we move this legislation through the Senate to the House so it is finally enacted into law.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 3900

Mr. SANDERS. Mr. President, I ask unanimous consent that the pending