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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, January 27, 2003, at 2 p.m.

Senate

TUESDAY, JANUARY 14, 2003

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

The PRESIDENT pro tempore. Today's prayer will be offered by the guest Chaplain, Dr. Richard Roth of Falls Church, VA.

PRAYER

The guest Chaplain offered the following prayer:

Standing in Your presence on this winter morning, Gracious God, we affirm with our forefathers that You have not only created us, but You sustain us each day. So with the psalmist of old, we proclaim, "This is the day that the Lord has made. We will rejoice and be glad in it."

Our Senators will face again today matters of such import that differences and conflict will be natural. In this arena, where vision and reality collide freely, may clear heads prevail. We are grateful for the freedom to challenge ideas and debate issues and for that freedom, we will rejoice and be glad.

This moment in history weighs heavy in this chamber and around Capitol Hill, so we ask for wisdom beyond experience and a fresh touch of Your grace. In a world on edge, as diplomats talk and warriors make ready in the pursuit of needed security, we pray that a peaceful resolution will come. With hope in our hearts, Lord, we submit ourselves to You. You are now and forever our Prince of Peace. For Your presence among us we will rejoice and be glad.

In Your Holy Name, we pray. Amen.

The PRESIDENT pro tempore. This morning I would like to ask the distin-

guished assistant minority leader to lead us in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID 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 now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with the time equally divided and Senators permitted to speak therein for up to 10 minutes.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished majority leader.

SCHEDULE

Mr. FRIST. Mr. President, today there will be a period of morning business until 12:30 p.m., with the time equally divided and Senators permitted to speak for up to 10 minutes.

Last night, I closed saying that I remain hopeful an agreement can be

reached as soon as possible with respect to the committee resolution which, very simply, allows us to proceed with Senate business and with appointment of our committees and the chairmen.

Again, as I mentioned last night, I want to put my colleagues on notice that if we are unable to reach accord in a short period of time, it will be my intent to begin consideration of the resolution. Again, it is very simple. It just names the chairmen and the Republican members of the committees. In addition, the appropriations process for fiscal year 2003 absolutely must be completed.

Members should be aware that the Senate will finish these matters or it will be necessary to return after the holiday on Monday and be in session through next week. I mentioned that last night in closing. But again I want to make sure my colleagues understand that we have two matters that are of critical importance to the fundamental organization of this body, No. 1; and, No. 2, on the appropriations bills that are the unfinished business from last year, we have an obligation to the American people to complete.

As the negotiations progress over the course of the morning—and, again, discussions continued well into the evening last night and began early this morning—as those negotiations progress, I will advise the Senate about the day's schedule.

Rollcall votes are, therefore, possible each day this week, including Friday, and it may be necessary to begin to have late evenings until we complete the appropriations bill.

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



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I think we could make real progress over the next several minutes and the next hour. But if not and if, in my judgment, we are just at a point where our business comes to a halt, it is important that we come forward on the floor of the Senate with the resolution on those committees.

I think we will have a productive day today. I am optimistic that we will. We have negotiated in good faith over the last week and a half. Now is the time to get on with the Nation's business.

Mr. REID. Mr. President, will the leader yield for a question?

Mr. FRIST. Absolutely.

Mr. REID. Mr. President, I was listening intently. But when does the leader think he would bring this resolution up, if we can't work something out?

Mr. FRIST. Mr. President, my intention is to review it with everybody who has been involved in the negotiations over the next several minutes or hour. But it is time for us to move ahead. So, very shortly. I hesitate to do so, to be very straightforward, because the overall negotiations have gone very well, and I did not in any way want to interrupt those negotiations. But at this point I am receiving phone calls from our colleagues, including the 11 freshmen, who, even if we met right now with committees, are simply not on those committees and are asking: What do we do? We came here. We were elected with the majority, and we are not on committees. We are not allowed.

It is incumbent upon me to get to it sometime very shortly. It may be this afternoon. It may be this morning. But sometime today we need to bring to a head the very simple Republican resolution to appoint chairmen, which we ratified on this side, and to appoint committees.

Mr. REID. Mr. President, my only suggestion to the leader would be that I think it would be in the best interests of all if we at least waited until the party caucuses so our leader and the majority leader could explain to their folks what the end might be. But we will await the decision of the leader. I will report to Senator DASCHLE momentarily.

Mr. FRIST. Mr. President, again, I am trying to have discussions in good faith. If in the next hour or hour and a half it is clear to me that no progress is being made—because by the time we have the policy luncheons, that will be 2 o'clock, and by the time we get back out here, it will be 3 or 4, and in essence we have lost a day. I do not want to make any commitment. I understand. That is why day after day I have not gone public, and I appreciate the Democratic leadership doing the same. But now all our colleagues are recognizing that our responsibility is to the United States of America and to this body, and we simply cannot leave next week with these things pending.

If I wait until tomorrow or the next day before we bring this to a head, it will be clear that we are going to be

here every single day. Right now, I think we have a chance. If we can do the committee resolution today—this morning—I think we can very quickly go to the appropriations process, the committee will be organized, and we can consider that legislation. Because so much work has already been done, we could, in fact, complete this and be able to have the recess that we initially planned. But if it is not done this morning or early this afternoon, I don't see how we will be able to do it.

Mr. REID. Mr. President, certainly we understand the difficulty in organizing. When the majority changed a year and half or 2 years ago, it took us 6 weeks to work this out. I certainly hope it doesn't take that long this time.

I also say both Senator DASCHLE and I yesterday indicated we agree with you that if we cannot complete our business this week, we should stay in next week. The chairman of the Appropriations Committee and Senator BYRD need to finish these bills, and they cannot do that if we are not in session.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Will the Senator yield for a unanimous consent request while the majority leader is on the floor?

Mr. CRAIG. Yes.

Mr. REID. I put us into a quorum call. I ask unanimous consent that during this morning business time that we have, the quorum calls be equally divided between both sides and not be charged against the party who asks for it.

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

The Senator from Idaho.

Mr. CRAIG. Mr. President, we are now in morning business?

The PRESIDENT pro tempore. We are now in morning business.

Mr. CRAIG. Mr. President, I will speak for a period of time in morning business.

COMMITTEE ORGANIZATION AND THE SENATE'S BUSINESS

Mr. CRAIG. Mr. President, I was pleased to see the minority whip and our majority leader on the floor a few moments ago, as I was viewing the floor from my office, hoping that an organizational resolution had been completed, that negotiations that had been underway now for nearly 2 weeks as to the organization of the Senate might bring us to a state where the Senate could begin to work.

Obviously, the American people have spoken very loudly in the last several months about the need to get our work done as it relates to both the economy,

the risk of war, and certainly the ongoing business of Government. And they spoke out loudly on November 5 as to who ought to be running the Senate. I think they would expect that transition, in a peaceful democratic system, would go smoothly and that we could be in the business of running the Senate. That simply has not happened to date.

I served, at the privilege of the majority leader, as chairman of the Committee on Committees. My task was to call all the Senators and get them fitted into the new committee structure and to recommend that kind of shaping for the ongoing business of the 108th. That work was completed well over a week ago. The majority leader urged me to get it done as soon as possible after the first of the year. Why? Because of the history of the Senate, that most organizational resolutions that get our Senate working occur usually in the first week of January, so we can be immediately at the people's business, so we can be immediately examining budgets and spending resolutions, and begin the work of shaping a budget for our Government to operate.

That simply has not happened. Why has it not happened?

I think the best evaluation of it appeared in the Wall Street Journal editorial yesterday, called "Daschle's Election Lesson." Mr. President, I ask unanimous consent that editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 13, 2003

DASCHLE'S ELECTION LESSON

So much for the theory that Democrats lost the Senate in November because they had obstructed President Bush's agenda. Judging by Tom Daschle's behavior so far this year, the new Senate minority leader has concluded that the lesson of their drubbing is that Democrats weren't obstructionist enough.

Only a week into the new Congress, the Daschle Democrats are already in full-throated opposition, assailing every White House idea and starting up the 2004 election campaign. Mr. Daschle's response to the President's tax cut hasn't been merely that it's wrong or helps "the rich," but that it's "obscene." (Tom, what are you going to say when you really don't like something?)

Democrats are also already vowing to defeat Mr. Bush's judicial nominees, even if it takes filibusters that let a mere 41 Democrats define Senate "advice and consent." Yesterday Mr. Daschle said the renomination of Charles Pickering Sr. "lays bare the Administration's real position on civil rights" and "exposes the Southern strategy clearly." Ah, racial harmony.

This same goodwill embrace is also being extended to new GOP Majority Leader Bill Frist. Despite a bipartisan deal last week to pass unemployment benefits by unanimous consent, Democrats sandbagged Mr. Frist on the floor by demanding more cash than the deal had called for. Hillary Clinton was seen giving orders on this ambush on the Senate floor. While the original deal ultimately passed, the vote was an omen of the Democratic strategy.

Which seems to be to use every opportunity to bollix up the Senate works. That