

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) and the Senator from Nevada (Mr. ENSIGN) are necessarily absent.

The PRESIDING OFFICER (Mrs. CLINTON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 378 Leg.]

YEAS—90

Allen	Domenici	Lott
Baucus	Dorgan	Lugar
Bayh	Durbin	McConnell
Bennett	Edwards	Mikulski
Biden	Enzi	Miller
Bingaman	Feinstein	Murkowski
Bond	Frist	Murray
Boxer	Graham	Nelson (FL)
Breaux	Gramm	Nelson (NE)
Brownback	Grassley	Reed
Bunning	Gregg	Reid
Burns	Hagel	Roberts
Byrd	Harkin	Rockefeller
Campbell	Hatch	Santorum
Cantwell	Hollings	Sarbanes
Carnahan	Hutchinson	Schumer
Carper	Hutchison	Sessions
Chafee	Inhofe	Shelby
Cleland	Inouye	Smith (OR)
Clinton	Jeffords	Snowe
Cochran	Johnson	Specter
Collins	Kennedy	Stabenow
Conrad	Kerry	Stevens
Corzine	Kohl	Thomas
Craig	Kyl	Thompson
Crapo	Landrieu	Thurmond
Daschle	Leahy	Torricelli
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden

NAYS—7

Allard	McCain	Voinovich
Feingold	Nickles	
Fitzgerald	Smith (NH)	

NOT VOTING—3

Akaka	Ensign	Helms
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The conference report was agreed to. Mr. DURBIN. Madam President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Madam President, I yield to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I congratulate all those who worked on this bill.

I have already extended my congratulations to my distinguished colleague, Senator HARKIN. I also thank Senator BYRD and Senator STEVENS. We have a very devoted staff. I would like to thank them. For the majority: Ellen Murray who is the majority clerk and an extraordinary worker; Jim Sourwine, Mark Laisch, Erik Fatemi, Lisa Bernhardt, Adrienne Hallett, Adam Gluck, and Carole Geagley. I did not know the majority had so many more than we do. On the minority

staff, Bettilou Taylor—Senator Taylor—Mary Dietrich, Sudip Parikh, and Emma Ashburn.

This was an extraordinary bill, very complicated, \$123 billion, lots of requests, lots of pages, lots of proof-reading, and we are glad it is finished. I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DASCHLE. I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 616 and 617; that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I ask the leader, what nominees?

Mr. DASCHLE. I advise the Senator from Iowa that these nominees are for the First Vice President of the Export-Import Bank and for a member of the Board of Directors of the Export-Import Bank.

Mr. HARKIN. I have no objection.

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

The nominations were considered and confirmed, as follows:

EXPORT-IMPORT BANK OF THE UNITED STATES

Eduardo Aguirre, Jr., of Texas, to be First Vice President of the Export-Import Bank of the United States for a term expiring January 20, 2005.

J. Joseph Grandmaison, of New Hampshire, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2005.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

INVESTOR AND CAPITAL MARKETS FEE RELIEF ACT

Mr. DASCHLE. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 74, H.R. 1088.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1088) to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DASCHLE. I ask unanimous consent that the bill be read a third time

and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD, with no intervening action.

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

The bill (H.R. 1088) was read the third time and passed.

PROVIDING FOR SINE DIE ADJOURNMENT OF THE SENATE AND HOUSE OF REPRESENTATIVES

Mr. DASCHLE. Madam President, I now call up H. Con. Res. 295, the adjournment resolution. I ask that the Senate vote on adoption of the concurrent resolution, with no intervention action or debate.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 295) providing for the sine die adjournment of the first session of the One Hundred Seventh Congress.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DASCHLE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the concurrent resolution.

The clerk will call the roll.

Mr. REID, I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

Mr. NICKLES, I announce that the Senator from North Carolina (Mr. HELMS), and the Senator from Nevada (Mr. ENSIGN), and the Senator from Kansas (Mr. ROBERTS) are necessarily absent.

The PRESIDING OFFICER (Mr. MILLER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 379 Leg.]

YEAS — 56

Baucus	Edwards	Lincoln
Bennett	Feingold	McCain
Biden	Feinstein	Mikulski
Bingaman	Fitzgerald	Miller
Boxer	Graham	Murkowski
Breaux	Gramm	Murray
Bunning	Hagel	Nelson (FL)
Byrd	Harkin	Nelson (NE)
Cantwell	Hollings	Reed
Carnahan	Inouye	Reid
Carper	Jeffords	Rockefeller
Chafee	Johnson	Sarbanes
Cleland	Kennedy	Shelby
Cochran	Kerry	Stabenow
Corzine	Kohl	Stevens
Daschle	Landrieu	Torricelli
Dodd	Leahy	Wellstone
Dorgan	Levin	Wyden
Durbin	Lieberman	

## NAYS — 40

Allard	Domenici	Santorum
Allen	Enzi	Schumer
Bayh	Frist	Sessions
Bond	Grassley	Smith (NH)
Brownback	Gregg	Smith (OR)
Burns	Hatch	Snowe
Campbell	Hutchinson	Specter
Clinton	Hutchison	Thomas
Collins	Inhofe	Thompson
Conrad	Kyl	Thurmond
Craig	Lott	Voinovich
Crapo	Lugar	Warner
Dayton	McConnell	
DeWine	Nickles	

## NOT VOTING—4

Akaka	Helms
Ensign	Roberts

The concurrent resolution (H. Con. Res. 295) was agreed to, as follows:

## H. CON. RES. 295

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Thursday, December 20, 2001, or Friday, December 21, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns at the close of business on Thursday, December 20, 2001, or Friday, December 21, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Mr. DASCHLE. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DASCHLE. Mr. President, it was my hope that we could go immediately to the final vote on the conference report on the Defense appropriations bill. I make that recommendation. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

## ECONOMIC STIMULUS PACKAGE

Mr. BREAUX. Mr. President and colleagues, while we are waiting some other colleagues to return to this Chamber to negotiate, I would like to make just a short comment on the economic stimulus package.

I would imagine that right now the political pundits of Washington, and really the political pundits all around

the country, are already sharpening their pencils, and the editorial writers are already banging away on their typewriters, as well as the political consultants and all the special-interest groups are preparing, already, their attack ads to blame someone for the failure of this Congress to complete and pass an economic stimulus package.

Over the next several days, and possibly even over the next several weeks, we are going to hear some say: Well, it is TOM DASCHLE's fault that we do not have an economic stimulus package because he did not bring the package to the Senate floor. We will also hear that, no, it is the Republican leader's fault because they only supported a package that helped the rich special interests. Or perhaps we will hear that, no, it is the fault of the President of the United States for not providing the leadership to bring both sides together.

The blame game has now begun. I have noticed the papers already this morning.

The Wall Street Journal said: The White House and congressional leaders fail to reach a compromise and now turn their efforts instead to casting blame for its failure.

The front page of the Washington Post this morning said: Yesterday, as both sides began engaging in a furious legislative end game designed to assign blame to the other party for failure . . .

The front page of the New York Times said the same thing, in essence. They said: The Bush administration, along with others, turned instead to partisan finger pointing over who was to blame for the impasse.

So, my colleagues and folks around the country, the blame game has already begun.

But one thing is very certain, and that is Americans cannot go to the grocery store and buy bread and buy milk with blame. It does not work.

When Congress fails to act, it is not our political parties that are hurt but the people we represent are truly the ones who are hurt.

Unfortunately, our political parties sometimes believe that they are actually helped when nothing is done so that they can blame the other side for failure and perhaps pick up a few congressional seats or perhaps even take over the White House.

Perhaps we, as members of the centrist coalition, should have gotten involved sooner. Maybe we should have offered our congressional proposal, blending the best ideas from both sides, earlier than we did. It might have helped.

Perhaps the White House should have become engaged earlier than they did. Maybe they should have been stronger in telling both sides to work together for an agreement.

Perhaps, perhaps, maybe, maybe, might have, might have, but in the end our biggest enemy was time. There simply was not sufficient time remaining to take up an extremely com-

plicated package, only passed late last night by the House of Representatives, and to try to explain it sufficiently to colleagues in the Senate in order for people to take a rational vote on that legislation.

To those who try to blame Leader TOM DASCHLE, I say, baloney. I was there. I worked hard for an agreement. But we did not in the end—and we do not now—have the votes to pass such a package in the Senate. I know that. We all know that. And it serves no one to bring up, in the last few hours, a very complicated package only for political purposes when we know the votes are not there.

The good news is that we came very close and can use the progress that we made in these negotiations to pass a package when we return in January. Both sides moved. We moved on taxes. We moved on health coverage. But only if we allow the outside forces to poison the wells so badly that we cannot negotiate will we not be able to reach an agreement.

Both sides must realize in a divided government we must compromise or nothing will get done. Businesses will get no relief or incentives to grow. Individuals will get no stimulus checks.

Unless we come together and reach an agreement, businesses will get no relief. They will get no incentives to grow. Individuals, on the other hand, will get no stimulus checks. They will get no extended unemployment compensation. They will get no Federal assistance to buy their health insurance.

For the first time in this country's history, we had the Federal Government paying for over one-half of an unemployed worker's health insurance. Now they must pay 100 percent. We came close.

The special interests in both our Democratic Party and our Republican Party must realize that in representing their constituents, they need to be flexible. They cannot insist that those of us who care about them be forced into a "we want it all or nothing" situation. In that case, the "all or nothing" situation produces nothing.

Is "nothing" what they want for the people they represent? Can they tell the workers, over the holidays, that not getting \$14 billion in stimulus checks and not getting \$18 billion in unemployment money and not getting \$21 billion more in health assistance was the right thing for them because there were other provisions that would not directly help them that was also part of the package?

Can business lobbyists say they are better off with no accelerated depreciation because they wanted it for 3 years? Or are they really better off with no AMT relief because they wanted a permanent repeal instead of only a partial repeal?

Is it not better to reach an agreement that you can get 70 percent of what you want and then fight for the remainder in the future?

Neither Medicare nor Social Security started out providing everything they