

him to Jerry Garcia of the Grateful Dead. It was a meeting of cultures, very different cultures.

I share with Senator THURMOND the distinction of being from a State that has provided the Senate Judiciary Committee with three chairmen over the history of the committee. South Carolina and the State of Vermont have each had three different people who have shared the Senate Judiciary Committee. With that in mind, I have always asked what I call the STROM THURMOND question at judicial hearings. He has always reminded nominees that the people and lawyers who appear before them, whatever their position in the case, whether rich or poor, white or black, man or woman, whatever their religious or political affiliation, deserve respect and fairness. He has reminded everyone of that.

I will miss my friend STROM. He has been named President pro tempore emeritus for a very good reason.

I have learned much from the senior Senator from South Carolina. Let me share one additional aspect of Senator THURMOND's legacy to the Senate as he completes this term and retires from office. In addition to all his longevity records and legislative achievements and buildings named for him, there is something else about him I will always remember.

When we hold hearings for Federal judges—and we have held a number this year—I am always careful to carry on a tradition that Senator THURMOND started. Senator THURMOND always reminded nominees for high office that it is essential to treat others with courtesy and respect. He always reminded nominees that the people and lawyers who appeared before them, whatever their position in the case, whether rich or poor, white or black, man or woman, whatever their religious or political affiliation, they are each and every one deserving of respect and fairness.

Senator THURMOND was right to remind judges—and even Senators—that that simple rule. It is another contribution he has made to all of us that will continue to serve us well. As I said earlier, I will miss STROM THURMOND. He has been named President-Pro-Tempore Emeritus for good reason.

21st CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT

Mr. REID. Mr. President, before the Senator from Vermont leaves the floor, on a totally different matter, I direct some questions to the Senator.

It is 2 p.m.. Twenty-four hours ago we were fortunate to get this conference report on H.R. 2215. I assumed this matter would be out of here in a matter of 4 or 5 minutes. I thought maybe Senator LEAHY and Senator HATCH would talk about what a great piece of work was done in conference. It is 24 hours later and this legislation has gone nowhere. In fact, the majority last night learned there would not be

even a vote allowed, and we had to file cloture.

This legislation deals with combating terrorism. It is entitled: 21st Century Department of Justice Appropriations Authorization Act. The title says it all. It is true, is it not, this deals with fortifying the national border security by authorizing more than \$4 billion?

Mr. LEAHY. I say to my friend, the deputy majority leader, it does.

We realize, as the Senator from Nevada has pointed out, we have problems with our borders. We have to enhance our ability to monitor the borders and still keep the open borders of this country. But it will be expensive. We put this in.

Incidentally, we put this in with the strong support of the administration.

Mr. REID. Is it true, I ask my friend, we have funding for Centers for Domestic Preparedness throughout the country? Is it true we have legislation to improve implementation of a treaty banning terrorist financing? Does it deal with FBI, allow FBI agents who are in duty stations that are perilous to receive extra money? We have heard reports a better job needs to be done with the communications, and it covers that. It covers penalties for the criminals who use body armor.

I could go on literally for 15 minutes talking about what is in this conference report. There are other Senators who wish to speak. Can the Senator give me any reason why this most important piece of legislation for the people of Nevada, Vermont, and the rest of the country is not passing?

Mr. LEAHY. I know one reason. It passed the other body 400 to 4. It came over here. I was asked if we had any objection to moving it quickly. I said, absolutely not. We checked every single member on the Democratic side of the aisle, and they said they would vote for it, every man and woman. But we had a hold put on it from the Republican side of the aisle. They have held it up. They have delayed it. I cannot understand why.

Money laundering by terrorists is covered. President Bush, shortly after the attack of September 11 last year, took extraordinary steps to try to choke off some of the sources of financing of these terrorist groups. I applauded the President for doing that. I thought it was the right thing.

However, there are some major areas we could not pursue without further legislation, which the administration strongly supports, and which Republicans and Democrats strongly support.

That is part of this bill. I would like to turn the spigot off for terrorists' money. That is in this bill.

The President of the United States would sign this bill immediately once it got onto his desk. Why the Republicans are holding it up, frankly, I don't know. I know they are holding it up, but I don't know why, especially when the President of the United States would sign this. There is much antiterrorism in here, everything from

the authorization of Boys and Girls Clubs to hazardous duty pay for Federal law enforcement officers.

This is sort of like voting to acknowledge the sun rises in the east. I don't know what the controversy is.

Mr. REID. The reason it is being held up is the same reason our 13 appropriations bills are being held up, the same reason the election reform, conference reports, bankruptcy, terrorism, Patients' Bill of Rights, generic drugs, all these most important pieces of legislation are held up. It appears clearly they want to be able to say the Senate, controlled by the Democrats, has been unable to accomplish anything. However, we cannot accomplish anything unless we get help from the 49 on the other side. They are trying to show their strength in not allowing us to do anything.

Mr. LEAHY. The Senator is right. Unfortunately, in holding this up, they are taking from the President of the United States tools needed to fight international terrorism. They are turning their back on the law enforcement people of this country.

We have an authorization for a charter change for the Veterans of Foreign Wars, something they have all supported, we have all supported, Democrats are all for. Republicans are holding that up. There was a charter change in here for the American Legion. All 51 on this side of the aisle have supported it. It is being held up on the Republican side. AMVETS, a charter change for American Veterans. That is being held up by the other side. We support it.

This may be the kind of political posturing people think they have to have in an election year. I think it is a crying shame.

I yield the floor.

The PRESIDING OFFICER (Mr. REED). The Senator from Illinois.

Mr. DURBIN. Mr. President, before I make a few comments about the state of the economy, let me talk about the state of business in the Senate. I concur completely with the Senator from Vermont, chairman of the Senate Judiciary Committee, on which I am proud to serve. I cannot imagine what is holding up this legislation. This legislation is designed to restore law and order in this country. It is designed to fight terrorism. There are elements that are absolutely common sense.

It is the first time, I believe, in over 20 years we are reauthorizing the Department of Justice. We are establishing the Violence Against Women Act, to protect areas of domestic abuse. We are talking about drug abuse education, prevention, and treatment. We have a provision in here to provide resources to the Boys and Girls Clubs of America, which in the city of Chicago and across my State of Illinois are so successful in reaching out to young people.

Time and time again, this bill addresses things the Department of Justice needs. It is quite a commentary on

the Senate that the Republican minority has held this bill up. They will not let us bring it to a vote. They won't let us bring it to the floor. I think it is unfortunate. I think we should have a vote on it, and I think if we do it will pass overwhelmingly and the President will gladly sign it. But we are caught up in a last-minute hurry to try to finish the session, and unfortunately some of the most commonsense priorities are victims of some political agenda. I hope this does not hold up this bill any longer.

STATE OF THE ECONOMY

Mr. DURBIN. Mr. President, I rise at this moment to speak to the state of the economy and to call to the attention of the Senate what has transpired in America in the 2 weeks since the majority leader, Senator DASCHLE, brought to the attention of this country how sadly our economy is performing.

Earlier I came to the floor and one of my Republican colleagues came to the floor and greeted me and said: DURBIN, you have it all wrong. The economy is better. Can't you feel it? The economy is much better. I have the facts to prove it.

I am anxious to see his presentation, and I am anxious to see how many people across America would agree with him because let me tell you what has happened in news reports in the last 2 weeks. These are news reports.

First, our stock market has had its worst quarter since 1987—15 years. It is the worst month of September in the stock market since 1937, 65 years ago. It has also been reported that the number of Americans without health insurance increased by 1.4 million last year, to 41.2 million.

The trend line, which had been moving in the opposite direction with more people having health insurance, is moving in the wrong direction now—fewer and fewer Americans with the protection of health insurance. May I add for a moment, have you asked anybody about the cost of health insurance lately? Small businesses, large businesses, labor unions, workers alike, the cost of health insurance is breaking the bank at businesses across America. It is breaking the bank when it comes to labor unions that try to take care of their retirees. It is something that has not been addressed by this Congress or this President.

The poverty rate rose last year for the first time in 10 years, from 11.3 percent to 11.7 percent. The prosperity of the previous administration has finally run out. More and more people are falling into poverty.

Real median household income fell last year by \$934. The spending power of American families in real terms dropped by over \$900. That is the first drop in 9 years.

Housing starts fell 2.2 percent in August. Unemployment insurance claims remain high, the 4-week average stays

above 400,000, and the U.S. manufacturing jobs shrank in September for the first time since January.

My colleague on the Republican side says I just don't get it; things are really getting better out there. I don't think they are. I think, frankly, we are not yet into recovery. When I talk to people who are leaders in business and keep an eye on the economy, they don't think we are either. They look at numbers and the numbers are pretty compelling.

Take a look at this economic report. This is the average annual percentage change in the Standard & Poor's 500. We went all the way back to the Harding administration—Warren G. Harding, the former President—to see what had happened in the stock market. Here is what we learned.

There has only been one other time in history when we have seen such a dramatic, precipitous decline in the value of the stock market. Sadly, that was during the Great Depression under Herbert Hoover when the stock market declined some 30 percent. We are talking about the S&P 500 declining 30 percent in value. Under President Bush's current administration that same percentage has gone down 21 percent. I don't have to tell that to anybody listening to this speech because more than half of Americans own some stocks, whether it is their personal savings or college savings accounts for their kids or grandkids or their pension plans. They know what has happened here. The nest egg you put aside and counted on for the future has been diminishing over the last year and a half. The economy is not strong. Yet you wouldn't believe it when you listen to the comments that are made.

Here is a comment from the President, September 5, just a few weeks ago.

I'm optimistic about our economy. I'm optimistic about job growth.

That is the President. Vice President CHENEY, on August 7:

... there is no doubt of our nation's (economic) strength.

Paul O'Neill, Secretary of the Treasury, September 25, just a few days ago:

The latest indicators look good.

That is our Secretary of the Treasury. What is he reading? Who is he listening to? This is a man who is supposed to be charting the course of economic policy in our country and he thinks things are looking good, a chicken in every pot. I don't think so.

Take a look at the economic record of this administration. We went back to President Eisenhower to take a look at the annual growth rate of private sector jobs. Incidentally, the President said he is optimistic about job growth. Look at job growth under this administration. Every single President has had positive job growth in the private sector except one, President George W. Bush. He is optimistic. Well, he may be optimistic about the future, but a realistic view of his administration is it

has been disastrous. We have lost jobs across America and people know this. They understand the uncertainty they face.

Take a look as well at the average rate of change in the real gross domestic product. This is the sum total of the value of goods and services produced in America. We went back to President Eisenhower. Every year you see a pretty substantial growth but one—look at this. Under President George W. Bush we have the lowest economic growth in 50 years in America. The President has said, "I'm optimistic about the economy." But look at the economy. It is weak. It is an economy that has taken its toll on workers and families and businesses and on the savings of retirees.

Take a look at these jobs we have lost. More than 2 million jobs have been lost under the Bush administration. We have had 111.7 million private sector jobs when the President took office. Today we are down to 109.6 million. In the words of Secretary of the Treasury Paul O'Neill, "The latest indicators look good." I don't see it. It doesn't look good for 2 million people who have lost their jobs since this President took office.

Now take a look at what has happened when it comes to Government spending. The debt held by the public—I am almost afraid to bring up the issue of national debt and deficit with Senator HOLLINGS on the floor. This is his passion. But he knows as well as I do, the debt held by the public in 2008 had been projected, when the President took office, at \$36 billion. That projection has gone from \$36 billion to now \$3.8 trillion. We are swimming in this red ink under this administration. It wasn't the case when he came to office.

This has all transpired under this President and his watch. What does it mean in terms of our Federal interest costs? Look at this. When the President came to office, they estimated the total Federal net interest spending for 10 years would be \$620 billion. That is when President Bush took office. Today the estimate is up to \$1.9 trillion—interest paid on national debt created by deficits with which we are presently living.

We left an administration that was in surplus. We left an administration that was paying down the national debt. We are now in an administration adding to the national debt, creating deficits, causing problems across our economy.

The reason? You can look at the recession which continues. You can certainly look to the war on terrorism, which has cost us dearly. None of us will shortchange the men and women who are fighting for our Nation, and that is going to cause some spending which will come out of the Social Security trust fund. But there is a third element. The third element was President Bush's tax policy. He came forward and said to America: With this fantastic surplus that I can see for 10 straight years, it is time to give the money