American, with the hope that they would go home and teach their parents the principles in the Constitution and the Declaration that unite us.

Our unity is based upon learning our common language, English, so we can speak to one another, live together more easily, and do business with one another. We have spent the last 40 years in our country celebrating diversity at the expense of unity. It is easy to do that. We need to spend the next several years working hard to build more unity from our magnificent diversity. That is much harder to do. One way to create that unity is to value, not devalue, our common language, English. That is why in this body I have advocated amendments which have been adopted to help new Americans who are legally here have scholarships so they can learn our common language.

I have worked with other Members of this body on the other side of the aisle to take a look at our adult education programs which are the source of funding for programs to help adults learn English. There are lines in Boston and lines in Nashville of people who want to learn English. We should be helping them to learn English. We could not spend too much on such a program.

That is why with No Child Left Behind, one of the major revisions we need to do is related to children who need more help learning English, because that is their chance in their school to learn our common language, to learn our country's principles and then to be even more successful.

Not long ago, before Ken Burns's epic film series on World War II came on television, my wife and I went to the Library of Congress to hear him speak and to see a preview of the film. He was talking, of course, about World War II and that period of time. It was during World War II, he said, that America had more unity than at any other time in our history, which caused me to think, as I think it must have caused millions of Americans to think: What have we done with that unity since World War II? Our pulling together since then, our working as one country has been the foundation of most of our great accomplishments.

That is the reason we have the greatest universities, that is the reason we have the strongest economy, that is the reason we still have the country with the greatest opportunity. Quoting the late Arthur Schlesinger, in Schlesinger's 1990s book which was called ''The Disuniting of America,'' Ken Burns told us that: Perhaps what we need in America today is a little less pluribus and a little more unum.

I believe Ken Burns's quote of Arthur Schlesinger is right about that. One way to make sure we have a little more unum, a little more of the kind of national unity that is our country's greatest accomplishment, is to make certain we value our common language, that we help children learn it, that we help new Americans learn it, that we help adults who do not know it to learn it, and that we not devalue it by allowing a Federal agency to say it is a violation of Federal law for an employer in America to require an employee to speak English on the job.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS MOTION TO PROCEED

Mr. MCCONNELL. Madam President, I understand that the majority may move to proceed to the supplemental bill passed by the House last night. That bill imposes at least two policy restrictions that will compel a veto: directing the readiness standard the Defense Department must follow before a unit may be deployed, and expanding the interrogation procedures established in the Army Field Manual over to the intelligence community.

The House bill will also compel the immediate withdrawal of forces, regardless of what General Petraeus's orders may be. Petraeus has established a reasonable timeline for the transition of mission and drawdown, and, frankly, we ought to support him. The Marine expeditionary unit identified by General Petraeus in September for withdrawal has left Iraq, and an Army brigade is headed home over the next month.

CLOTURE MOTION

Madam President, I move to proceed to Calendar No. 484, S. 2340, the troop funding bill. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 2340, a bill making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008.

Mitch McConnell, Saxby Chambliss, Bob Corker, Wayne Allard, Thad Cochran, John Cornyn, Kay Bailey Hutchison, Lisa Murkowski, Orrin Hatch, Richard Burr, Trent Lott, Mike Crapo, Pat Roberts, Chuck Grassley, Jon Kyl, Norm Coleman, Mel Martinez.

Mr. MCCONNELL. Madam President, Secretary Gates stated clearly yesterday that the Army and Marine Corps will run out of operating funds early next year. This funding shortfall will harm units preparing for deployment and those training for their basic missions. We should not cut off funding for our troops in the field, particularly at a moment when the tactical success of the Petraeus plan is crystal clear. Attacks and casualties are down. Political cooperation is occurring at the local level. We should not leave our forces in the field without the funding they need to accomplish the mission for which they have been deployed.

The Pelosi bill, if it was to get to the President's desk, of course, would be vetoed, as was the supplemental bill sent to the President earlier this year that contained a withdrawal date. Because we have a responsibility to provide this funding to our men and women in uniform as they attempt to protect the American people, we need to get a clean troop funding bill to the President.

There is no particular reason to have all the votes that are likely to be coming our way tomorrow. I have indicated repeatedly to the majority leader—and we have at the staff level—that we would be more than happy on this side of the aisle to move both the farm bill cloture vote and whatever cloture vote or votes we end up having on the troop funding issue up to today. I hope there is still the possibility of doing that. I know Members on both sides of the aisle, in anticipation of the 2-week break, have travel plans. I am all for staying here longer if it makes sense, but under this particular set of circumstances, it doesn't make sense.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. I ask unanimous consent that the order for the quorum call be rescinded.

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

THE FARM BILL

Ms. STABENOW. Madam President, I rise to speak about the importance of the farm bill. I also wish to express the same deep concern about what is happening on process in the Senate, as so many of my colleagues and the majority leader have. This is the second week we have been trying to pass a food and energy security bill that is important for every community. The process that has gone on, frankly, since the beginning of the year, is one of delay, slow walking, and filibusters over and over again.

Yesterday, I showed a chart that read ''52 filibusters so far this year.'' Tomorrow we have potentially three more votes to close off filibusters. One relates to funding on the war that is tied to a policy change the majority of Americans want to have happen to move our men and women out of the middle of a civil war, to refocus us instead on the critical areas of counterterrorism, training, support for Americans who remain, those things the majority of Americans want to see happen. We have to stop a filibuster on

that tomorrow morning. We then have two votes potentially on stopping filibusters on the farm bill. So my ''52'' is, as of tomorrow, potentially 55 filibusters this year.

We have never seen the level of filibustering that we have had in the current session of the Senate with our friends on the other side of the aisle.

In spite of the slowdown, in spite of the blocking of efforts to vote on amendments and to get a farm bill done last week, in spite of efforts this week, I am proud to say that yesterday we were able to work together to pass a reauthorization of Head Start. This is something that was done on a bipartisan basis. It will go to the President. We expect him to sign it. It will increase standards for teachers and extend resources so more children can receive Head Start funding. Head Start is so important to prepare children for school, to give them a head start. It is a wonderful program that involves parents being a part of the effort of preschool education. Despite what as of tomorrow will be 55 filibusters this year, we once again have put forward something that is important to the American people—investing in our young children, getting them ready to go to school. The Head Start bill did pass. I am pleased it did.

Concerning the farm bill that is in front of us, we have worked so hard together. We have a bill that came out of committee unanimously, a strong bipartisan effort to not only support traditional agricultural commodities but also to move us in new directions for the future. I am pleased, in addition to traditional farm programs that are supported in Michigan, that we were able to add support for the 50 percent of the crops grown that haven't been under the farm bill; specialty crops, fruits and vegetables are now a part of this farm bill. That is important.

We have also tied that to a partnership to expand nutrition, a significant new program expansion—it is beyond a pilot—the chairman of the committee has let in on fresh fruits and vegetables as snacks in schools, rather than children going to a vending machine and getting soda pop or candy. There are many parts of this farm bill that focus on nutrition. In fact, most people will be surprised to know the majority of the farm bill, over 60 percent, is in fact focused on nutrition. We need to get this done. We need to get this done both for our growers as well as for children, seniors, food banks that receive help, farmers' markets, organic farmers. This is very important.

We also in this farm bill have done something very significant—I notice our chairman from the Finance Committee on the floor who has led us in this, he and our ranking member—and that is creating a permanent disaster relief program as a part of the farm bill. I am very pleased that fruit and vegetable growers will be able to participate. We need to be able to respond quickly when there is a disaster—a flood, a drought, other kinds of disasters.

We also have moved this farm bill more aggressively in the direction of alternative energy, alternative fuels, biofuels. This is important in getting us off gasoline, off oil, when we look at prices continuing to rise every day. It is also a way to create jobs. In Michigan, we are creating hundreds of jobs now, with thousands to come, from ethanol plants and biodiesel plants. As we move to cellulosic ethanol, we will be able to create new opportunities for my sugar beet growers and the folks up north who are involved in timber and wood products, as well as switchgrasses and other areas. This is important. It is time to get this done, alternative energy for the future, addressing our energy needs, supporting our farmers.

I am proud also that American car companies within the next 3 years, by 2012, half of what they produce, half of what they manufacture will be flexfuel vehicles, ethanol, other flex fuels. We need to get this farm bill done to be able to support that effort.

Rural development is a critical part as well. I have small communities all over Michigan that would not have water and sewer projects if it was not for USDA rural development—another critical part of this bill.

I would simply say we have seen now, since last week, delay after delay after delay on giving us the opportunity to move forward and get this farm bill done. Now is the time to do that. I hope tomorrow we will vote to stop filibustering, we will vote to proceed to a critical bill.

Folks think the farm bill is only about rural communities, but all of us are impacted by every part of this farm bill. We need to get this done. It is time to get this done. I do not want to keep having to change this chart over and over again, although I fear I will, on how many times there is delay, how many times there is filibustering going on.

We have a farm bill in front of us that needs to get done for all of us. It has been done in a truly bipartisan way. It has very broad support. Now is the time to get this done for our American farmers and our families.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Montana.

DRUG SAFETY INTIMIDATION

Mr. BAUCUS. Mr. President, I see my good friend from Iowa, Senator GRASSLEY, is on the floor. We will both speak on the same subject. I have a statement, and then I think he wants to speak next on the same subject.

Today, Senator GRASSLEY and I are placing in the CONGRESSIONAL RECORD a Senate Finance Committee staff report which describes a very disturbing series of events related to the safety of the diabetes drug Avandia.

I commend Senator GRASSLEY for his efforts on this issue, and I recommend this report to my colleagues.

Mr. President, I ask unanimous consent that the report be printed in the RECORD.

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

COMMITTEE STAFF REPORT TO THE CHAIRMAN AND RANKING MEMBER

Committee on Finance

United States Senate, November 2007

THE INTIMIDATION OF DR. JOHN BUSE AND THE DIABETES DRUG AVANDIA

A. INTRODUCTION

The United States Senate Committee on Finance (Committee) has jurisdiction over the Medicare and Medicaid programs. Accordingly, it has a responsibility to the more than 80 million Americans who receive health care coverage under those programs to oversee the proper administration of these programs, including the payment for medicines regulated by the Food and Drug Administration (FDA). Given the rise in health care costs and the need to maintain public health and safety, Medicare and Medicaid dollars should be spent on drugs and devices that have been deemed safe and effective for use by the FDA, in accordance with all laws and regulations.

This report summarizes the Committee Staff's findings to date regarding GlaxoSmithKline's (GSK) intimidation of an independent scientist who criticized Avandia, a drug GSK manufactures to control glucose levels in diabetics. This report is based upon an intensive review of documents provided by GSK and others.

In a letter dated May 21, 2007, the Committee asked GSK about allegations that its company executives intimidated a research scientist in 1999. At the time of the alleged intimidation, GlaxoSmithKline was called SmithKline Beecham. In 2000, SmithKline Beecham merged with Glaxo Wellcome to create GlaxoSmithKline. Accordingly, throughout this report, the newly formed company will be referred to as GlaxoSmithKline/GSK.

In response to the Committee's letter dated May 21, 2007, that first raised these concerns about retaliation, GSK quickly issued a press release to repudiate the allegation. Specifically, the Wall Street Journal wrote, ''[GSK] called the suggestion 'absolutely false.'" However, internal company documents seem to contradict that claim and reveal what appears to be an orchestrated plan to stifle the opinion of Dr. John Buse, a professor of medicine at the University of North Carolina who specializes in diabetes.

In particular, GSK's attempt at intimidation appears to have been triggered by speeches that Dr. Buse gave at scientific meetings in 1999. During those meetings, Dr. Buse suggested that, aside from its benefit of controlling glucose levels in diabetics, Avandia may carry cardiovascular risks.

The effect of silencing this criticism is, in our opinion, extremely serious. At a July 30, 2007, safety panel on Avandia, FDA scientists presented an analysis estimating that Avandia caused approximately 83,000 excess heart attacks since coming on the market. Had GSK considered Avandia's increased cardiovascular risk more seriously when the issue was first raised in 1999 by Dr. Buse, instead of trying to smother an independent medical opinion, some of these heart attacks may have been avoided.

According to documents provided to the Committee by, among others, GSK, and the University of North Carolina, it is apparent that the original allegations, regarding Dr. Buse and GSK's attempts at silencing him

are true; according to relevant emails, GSK executives labeled Dr. Buse a ''renegade'' and silenced his concerns about Avandia by complaining to his superiors and threatening a lawsuit.

Even more troubling, documents reveal that plans to silence Dr. Buse involved discussions by executives at the highest levels of GSK, including then and current CEO Jean-Pierre Garnier. Also, GSK prepared and required Dr. Buse to sign a letter claiming that he was no longer worried about cardiovascular risks associated with Avandia.

After Dr. Buse signed the letter, GSK officials began referring to it as Dr. Buse's ''retraction letter.'' Documents show that GSK intended to use this ''retraction letter'' to gain favor with a financial consulting company that was, among other things, evaluating GSK's products for investors. After cutting short Dr. Buse's criticism, GSK executives then sought to bring Dr. Buse back into GSK's favor.

While publicly silent subsequent to signing the ''retraction letter,'' Dr. Buse still remained troubled about Avandia and its possible risks. Years later, he wrote a private email to a colleague detailing the incident with GSK:

''[T]he company's leadership contact[ed] my chairman and a short and ugly set of interchanges occurred over a period of about a week ending in my having to sign some legal document in which I agreed not to discuss this issue further in public.''

Dr. Buse ended the email, ''I was certainly intimidated by them. . . . It makes me embarrassed to have caved in several years ago.''

GSK's behavior since the Committee first brought these allegations to light has been less than stellar. Instead of acknowledging the misdeed to investors, apologizing to patients, and pledging to change corporate behavior, GSK launched a public relations campaign of denial. Specifically, GSK sent out a press release titled ''GSK Response to US Senate Committee on Finance'' which stated that the allegations raised by the Committee were ''absolutely false.'' Further, CEO Jean-Pierre Garnier denied having any knowledge of the alleged intimidation of Dr. Buse in an interview that ran in July in The Philadelphia Enquirer.

B. DETAILED REVIEW OF DOCUMENTS

The Committee initiated an investigation into the risks and benefits associated with the diabetes drug Avandia in the spring of 2007. That investigation was prompted when the New England Journal of Medicine published an article by Dr. Steven Nissen and Ms. Kathy Wolski, noting that Avandia was associated with serious cardiovascular risk, including heart attacks.

Dr. John Buse is an expert in diabetes with extensive research experience in the thiazolidinedione (TZD) class of drugs. This class includes Rezulin (troglitazone), Actos (pioglitazone), and Avandia (rosiglitazone). In 1999, Dr. Buse sent a letter to the FDA stating that Rezulin should not be withdrawn over worries about liver toxicity. He noted that the liver toxicity and other safety issues surrounding the alternatives—rosiglitazone and pioglitazone—were not yet known. He noted that the three compounds ''are dramatically different in their interaction with their proposed receptor.''

Dr. Buse added that he was a consultant for Takeda-Lilly, the manufacturer of Actos and had been a consultant for SmithKline Beecham, which manufactured Avandia. Documents from this period show that Dr. Buse was an investigator for a SmithKline Beecham study on rosiglitazone as a treatment for diabetes.

Also in early 1999, Dr. Buse gave speeches at meetings of the Endocrine Society and the American Diabetes Association (ADA). At both meetings, he suggested that Avandia may carry increased cardiovascular risks.

In June 1999, GSK executives discussed Dr. Buse in a series of emails they titled, ''Avandia Renegade.'' One email reads:

''[M]ention was made of John Buse from UNC who apparently has repeatedly and intentionally misrepresented Avandia data from the speaker's dais in various fora, most recent among which was the ADA. The sentiment of the SB group was to write him a firm letter that would warn him about doing this again . . . with the punishment being that we will complain up his academic line and to the CME granting bodies that accredit his activities. . . . The question comes up as to whether you think this is a sensible strategy in the future (we don't really do too much work at UNC to make any threats).

The email series also includes threats that might be made, including a lawsuit and contacting Dr. Buse's colleagues at UNC. SB in this email refers to SmithKline Beecham which is now GSK.

In response to this series of emails, Dr. Tachi Yamada, GSK's head of research at the time, wrote in an email that he had discussed Dr. Buse with GSK's CEO Dr. Jean-Pierre Gamier as well as David Stout, a senior GSK executive. Dr. Gamier and Mr. Stout are copied on the email. Specifically, Dr. Yamada's email reads:

''In any case, I plan to speak to Fred Sparling, his former chairman as soon as possible. I think there are two courses of action. One is to sue him for knowingly defaming our product even after we have set him straight as to the facts—the other is to launch a well planned offensive on behalf of Avandia. . . .''

Indeed, Dr. Yamada called Fred Sparling, Dr. Buse's department chairman. Three days later, Dr. Buse wrote a letter to Dr. Yamada attempting to clarify his position on Avandia. Dr. Buse's letter began, ''I wanted to set the record straight regarding all the phone calls and questions I have received. . . .'' The phone calls that Dr. Buse referred to were made by GSK officials including Dr. Yamada regarding the speeches that Dr. Buse gave at conferences suggesting cardiovascular problems associated with Avandia.

Dr. Buse continued, ''I believe as a clinical scientist that the null hypothesis should be that rosiglitazone has the potential to increase cardiovascular events.'' Dr. Buse went on to say that his chairman had informed him that GSK executives perceived him as ''being for sale'' because he received speaking fees from Takeda. Dr. Buse added that he heard ''implied threats of lawsuits from my chairman and James Huang. . . .'' who was then a product manager with GSK.

Dr. Buse ended the letter to Dr. Yamada by writing, ''Please call off the dogs. I cannot remain civilized much longer under this kind of heat.''

Along with his letter to Dr. Yamada, Dr. Buse enclosed a separate letter. GSK officials later referred to that second letter as the ''Buse retraction letter.'' In the ''retraction letter,'' Dr. Buse attempted to clarify the remarks he made at the medical conferences regarding Avandia.

On July 1, 1999, Dr. Yamada wrote to Dr. Buse, thanking him for the detailed explanation. Dr. Yamada's email reads, ''As you may be aware, my phone call to Fred Sparling was aimed at being educated. . . .'' The letter is copied to CEO Jean-Pierre Garnier.

That same day, several GSK employees discussed Dr. Buse in an email chain that questioned whether or not Dr. Buse signed the ''retraction letter'' that was prepared by GSK. The email reads:

''[H]ave you heard back from Dr. Buse? Did he sign your proposed letter? Assuming he does retract, what are we planning to do to let the world know that Dr. Buse retracted his statements?''

A second GSK employee responded, ''John Buse kindly signed the clarification letter on his letterhead without any change.''

Later that day, the first GSK employee wrote, ''I'm not certain what damage has now been caused by the Yamada phone call to [Buse's] seniors. . . . Maybe we can obtain clarification of how such situations with U.S. opinion leaders in [the] future should be handled. Yeesh!''

On July 2, 1999, several GSK officials discussed whether to share with financial analysts, what they term the ''Buse retraction letter.'' These financial analysts were evaluating GSK's products for investors.

In an email, a GSK employee wrote discussed talks he had with the financial analysts. Several GSK executives were copied on this email, including CEO Jean-Pierre Garnier, Dr. Tachi Yamada, and Mr. David Stout. The email reads:

''I also discussed how Dr. Buse has also confirmed that caution should be used in comparing the efficacy data and [adverse events] data he presented. That these should not be taken out of context and that the study designs, baselines, etc., etc., . . . were different. . . . As a result of our conversation, [FINANCIAL COMPANY NAME REDACTED] will remove the '?' under the cardiovascular events and they are removing the John Buse table on efficacy presented at the ADA meeting.''

But even after Dr. Buse signed the retraction letter, GSK executives were torn over whether or not they could trust the former ''Avandia Renegade.'' On one hand the documents reveal that some GSK executives were eager to work with Dr. Buse. For instance, in late November 1999, a GSK official sent an email to several executives which read, ''We need to see John Buse ASAP now that we know that he is involved with the NIH [study].''

On the other hand, others at GSK never fully believed that Dr. Buse had completely dropped his concerns with regard to Avandia and its possible cardiovascular risks. In fact, even though Dr. Buse remained silent in public, he continued privately to voice his opinions about cardiovascular problems with Avandia. For example, after signing the retraction letter, Dr. Buse wrote to the FDA Commissioner in March 2000 where he noted:

''In short, the lipid changes with troglitazone and pioglitazone can only be viewed as positive. They are very similar in nature. . . . As mentioned above, I remain concerned about the lipid changes with rosiglitazone. . . . Rosiglitazone is clearly a very different actor. I do not believe that rosiglitazone will be proven safer than troglitazone in clinical use under current labeling of the two products. In fact, rosiglitazone may be associated with less beneficial cardiac effects or even adverse cardiac outcomes.''

The following month, GSK officials acquired a copy of Dr. Buse's letter to the FDA. GSK executives faxed Dr. Buse's FDA letter among themselves with a cover note reading, ''We need to address this as a company. . . . Looks like Dr. Buse doesn't buy into our lipid or cardiovascular story.''

Following Dr. Buse's FDA letter, GSK drafted another letter to Dr. Buse from one of its executives, Martin Freed. The letter reads, ''I remain concerned about your ongoing aggressive posture towards rosiglitazone and SmithKline Beecham. In my opinion, you have presented to [FDA] several unfair,

unbalanced, and unsubstantiated allegations.''

Later in 2000, Dr. Buse reached out to GSK officials, asking them to sponsor a continuing medical education (CME) program about TZD use. Dr. Buse wrote in his request:

''I spoke to Rich Daly, the head of marketing (and sales?) for Takeda. He was going to run the idea of joint support for the CME program by the Takeda lawyers to make sure there are no FTC issues in what I proposed. I highlighted to him that the benefit to Takeda and [SmithKline Beecham] would be the potential to grow interest in the class as a whole and as a very public display of the end of the ''glitazone wars.''

By late 2000, GSK officials appeared to believe that they had the former ''Avandia Renegade'' under control. Emails from this time refer to GSK as ''SB,'' as GSK had not yet been created from the merger. In November, a GSK/SB executive wrote:

''Just a quick note about your comment on Buse. . . . I am getting messages that he is really coming around to the SB side of things. He has stopped his out-right bashing and is now more TZD positive with kind comments on Avandia. . . . David Pernock spoke to him and said something to the effect that [Glaxo Wellcome] is his friend now but GSK will be the future and he needs to realize that. . . .

''I spoke to him separately on a couple of occasions . . . and let him know that our relationship got off on the wrong foot but that is in the past and we want to move on from here. . . . FYI and thanks for your help in bringing J. Buse back to the middle and hopefully beyond.''

However, based upon the documents in the Committee's possession, GSK executives continued to try and shape Dr. Buse's views regarding Avandia. For example, in early 2001, Dr. Buse contacted GSK officials, requesting citations for a textbook he was writing. One official suggested that GSK should both provide and interpret the information for Dr. Buse, stating in an email:

''Our chances on having Buse reflect our views and messages will be enhanced greatly if we tell him what they are rather than relying on him to development [sic] on his own accord via examining data. . . . [F]inally our view of the big picture lipid story including LDL characteristics and fat redistribution cannot be easily gleaned from our collection of pieces. There is no evidence that Dr. Buse will come to these views without some guidance and support. Of course care will need to be taken to work any overview pieces in a way that appears academic rather than too commercial to enhance the probability that Dr. Buse will adopt our views as his own.''

Concern with Dr. Buse reemerged in 2002, as his professional stature grew. That September, GSK officials discussed bringing him further into the fold. A GSK official described him as the ''most powerful Endocrinologist in the Carolinas. . . . [H]e is gaining power nationally and internationally.'' The email continued:

''[We feel] as if Dr. Buse [is] primed to move to a more middle-of-the-road stance concerning TZDs. The timing for this 'shift' has to be right. In my opinion, that right time will be with the launch of Avandamet. He is very excited about the launch of this new combo product and very critical of [COMPANY NAME REDACTED] for not moving faster on their combo. . . . His experience with and advocacy for Avandamet could prove invaluable for it's [sic] in the Blue Ridge region and beyond.''

A different GSK official responded, ''As long as we are on the same page, we could consider him. . . .'' The following week, another official wrote, ''It looks like marketing would like us to move forward using Dr. Buse as an investigator in the Avandamet program. Are you OK with this?'' Avandamet refers to a combination drug for glucose control that combines Avandia with metformin.

Based on the documents in the Committee's possession, it appears that Dr. Buse remained silent about his concerns regarding Avandia for approximately two years. However, in 2005, he once again privately voiced his opinion that Avandia carried cardiovascular risks. In an email he sent to Dr. Steven Nissen, chairman of the Cardiology Department at the Cleveland Clinic, he again revealed his ongoing concerns about Avandia and described his treatment by GSK. Specifically, Dr. Buse wrote:

''Steve: Wow! Great job on the muriglitazar article. I did a similar analysis of the data at rosiglitazone's initial FDA approval based on the slides that were presented at the FDA hearings and found a similar association of increased severe CVD events. I presented it at the Endocrine Society and ADA meetings that summer. Immediately the company's leadership contact[ed] my chairman and a short and ugly set of interchanges occurred over a period of about a week ending in my having to sign some legal document in which I agreed not to discuss this issue further in public.''

Later in the email, Dr. Buse confirmed GSK's treatment of him when he wrote, ''I was certainly intimidated by them but frankly did not have the granularity of data that you had and decided that it was not worth it.''

Dr. Buse concluded in his email, ''Again congratulations on that very important piece of work. It makes me embarrassed to have caved in several years ago.''

C. CONCLUSIONS

The documents in the Committee's possession raise serious concerns about the culture of leadership at GSK. Even more serious perhaps is our fear that the situation with Dr. Buse is part of a more troubling pattern of behavior by pharmaceutical executives.

Specifically, in 2004, Dr. Gurkirpal Singh of Stanford University testified at a Committee hearing that an executive at Merck sought to intimidate him by calling his superiors. Merck also warned Dr. Singh that they would make life very difficult for him, if he persisted in his request for data on Merck's drug, Vioxx. It was later discovered that Vioxx increased the risk of heart attacks and it was withdrawn from the market.

Merck's intimidation of Dr. Singh as it sought to protect Vioxx bears striking similarities to apparent threats by GSK against Dr. Buse to protect Avandia. The Committee is very concerned that this behavior may be more prevalent in the pharmaceutical industry than is evidenced by these two cases.

Corporate intimidation, the silencing of scientific dissent, and the suppression of scientific views threaten both the public well-being and the financial health of the federal government, which pays for health care. The behavior of GSK during the time that Dr. Buse voiced concerns regarding the cardiovascular risks he believed were associated with Avandia was less than stellar. Had Dr. Buse been able to continue voicing his concerns, without being characterized as a ''renegade'' and without the need to sign a ''retraction letter,'' it appears that the public good would have been better served.

Mr. BAUCUS. The report presents evidence that a pharmaceutical company allegedly tried to intimidate a doctor who raised concerns about Avandia's link to heart problems.

A few years ago, the Senate Finance Committee uncovered a similar situation connected to the drug Vioxx.

These actions are unacceptable.

It is critical that our prescription drugs be developed based on rigorous experimentation, the facts, and the science, not on intimidation and threats of lawsuits.

We place a great deal of trust in pharmaceutical companies to make safe and effective products. The health of millions of Americans, from young children to retirees, depends on the careful work of these drug manufacturers.

Today, as I said, Senator GRASSLEY and I are placing in the CONGRESSIONAL RECORD a Senate Finance Committee staff report which describes a very disturbing series of events related to the safety of the diabetes drug, Avandia.

The report presents evidence that a pharmaceutical company allegedly tried to intimidate a doctor who raised concerns about Avandia's link to heart problems. This occurred after the doctor gave speeches at 2 scientific meetings where he warned of the cardiovascular risks to those using Avandia, a drug designed to control glucose levels in diabetics.

To make matters worse, the company in question denied trying to intimidate the doctor in the press. That claim is seriously challenged by e-mails presented in the staff report.

It appears that the company labeled the doctor as a ''renegade'' and all but silenced him by complaining to his department chairman and threatening a lawsuit.

In an e-mail contained in the report the doctor in question describes signing a legal document in which he agreed not to discuss the issue in public. He goes on to say that he felt intimidated by the actions of the pharmaceutical company.

Is this the tip of the iceberg or just an isolated case? Nobody really knows. But just 3 years ago the Senate Finance Committee uncovered a similar situation connected to the drug Vioxx. A clinical professor at Stanford University said Merck scientists had tried to intimidate him after he raised questions in public about the effects of Vioxx.

It was later discovered that Vioxx increased the risk of heart attacks and the drug was withdrawn from the market. Just last week Merck agreed to pay $4.8 billion to settle Vioxx lawsuits.

As in the Vioxx case, the concerns raised by the doctor in the Avandia case were followed by complaints by other researchers. And yesterday the FDA added an additional ''black box'' warning to the Avandia label.

With the Finance Committee's continued spotlight on this behavior, I hope we can deter similar abuses in the pharmaceutical community.

Again, it is critical that our prescription drugs be developed based on rigorous experimentation, facts and

science, not on intimidation and threats of lawsuits.

I, again, recommend the report to my Senate colleagues, and I very much thank my colleague from Iowa, Senator GRASSLEY, for his efforts here and, again, for his efforts on the work of this investigation.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise to follow Senator BAUCUS on exactly the same subject. I thank him for the period of time now, this year, he has been chairman of the committee, succeeding my chairmanship, because he has been very cooperative in my efforts to finish investigations that carried over with the change of Congress from Republican to Democratic, and also for helping us initiate new, needed investigations.

But I also wish to take some time to comment exactly on what he had made reference to in the very report he has now submitted for the RECORD. Since he has submitted a copy, I will not ask permission to do that.

It was about 3 years ago—in fact, the exact date was November 18, 2004—I convened a hearing on the worldwide withdrawal of Vioxx, a blockbuster pain medication.

That hearing turned a spotlight on systemic problems at the Food and Drug Administration. We found that the Food and Drug Administration maintained a very cozy relationship with the drug industry and suppressed scientific dissent regarding agency actions on drug safety.

At that Vioxx hearing, we also heard about Merck using its power, its influence, and access to try and discredit an FDA safety expert, Dr. David Graham—a person who is still on the staff at the FDA trying to do the job of being a policeman for safety for the consumers of American pharmaceutical products.

Merck also tried to intimidate a Stanford researcher, Dr. Gurkirpal Singh. The company warned him to stop asking for more safety data on Vioxx, despite the fact he was one of their paid consultants.

What is troubling is that 3 years later, I am here with my colleague, Senator BAUCUS, to talk about yet another case where pharmaceutical executives use power, use their influence, and use access to intimidate a medical researcher.

In essence, another company wanted to put an end to another scientist who was voicing concerns about the cardiovascular risks associated with a drug.

Now, in this case—similar to Vioxx—we are talking about a diabetes drug, Avandia.

Today, Senator BAUCUS and I are releasing a staff report showing how executives at GlaxoSmithKline intimidated Dr. John Buse, a medical researcher at the University of North Carolina.

Together, our respective staffs reviewed documents provided by the company and by others, and they found bothersome internal e-mails that reveal how these pharmaceutical executives think. In these e-mails, high-level company officials discussed the possibility of threats—I am talking about threats by pharmaceutical executives—against Dr. Buse of North Carolina University. These threats included the possibility of filing a lawsuit.

Company executives called Dr. Buse an ''Avandia Renegade'' and had him sign a retraction letter they wanted to give to financial analysts. These analysts were evaluating the company's products for investors.

So what we have are three cases—starting with Dr. Graham, then Dr. Singh, and now Dr. Buse—where companies intimidated researchers who dared to express concerns about the safety of what they thought were risky drugs. In the case of both Vioxx and Avandia, the drugs actually turned out to carry some very serious risks.

What I am here to say today is that attacks on medical researchers by the pharmaceutical industry must stop. And it has to stop right this minute.

Until this practice ends, I wish to let America's scientists know I am very interested in their concerns. Scientists should feel free to contact my office if a pharmaceutical company threatens their career or attacks their reputation when they raise the alarm about possible dangerous drugs.

They can also anonymously provide information and documents by mail or by fax to the committee. Here is the fax number: 202–228–2131.

That is the warning that I put out, and the invitation that I put out.

I yield the floor.

Mr. President, it does not look like anybody else wants to speak, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WEBB. Mr. President, I ask unanimous consent to speak as in morning business.

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

EDUCATIONAL BENEFITS FOR VETERANS

Mr. WEBB. Mr. President, my first day in the Senate I introduced legislation that would provide educational benefits for those who have served in our military since 9/11 that would be the equivalent of the educational benefits that those who served in World War II received.

We are very fond in this body and elsewhere in the U.S. Government of talking about those who have served in Iraq and Afghanistan as being the new ''greatest generation.'' Well, it seems to me very logical that if we are going to use that rhetoric, we should be able to provide those who have served in this difficult time with the same educational benefits as those who served during World War II.

I was very privileged, for 4 years, to serve as a committee counsel on the House Veterans' Committee at a different point in my life, and was able to study the benefits that had been provided to our veterans from the American Revolution forward.

I also noticed an interesting phenomenon; and that was, a good part of the veterans' benefits package that was provided to those who served in World War II was done so because of the wisdom of those who had served in World War I—partially because they did not receive these sorts of benefits. The World War I veterans were very adamant that the veterans coming back from World War II be treated differently than they were. One of the end results of that was the GI bill.

Very recently, former Senator Bob Dole testified in front of the Veterans' Affairs Committee, of which I am a member. I asked him about his own experiences, having been wounded in World War II, and how the World War II GI bill assisted him in his transition to the civilian world. This is what he said in part:

> I think [the World War II GI bill was] the single most important piece of legislation when it comes to education, how it changed America more than anything I can think of. [We] ought to take the same care of the veterans today.

I could not agree more strongly. The people who served in World War II—there were 16 million of them—were offered an entirely different concept in terms of fairness in American society when they returned. Eight million of them were able to take advantage of a GI bill that provided for their tuition when they went to college, bought their books, and gave them a monthly stipend.

This education benefit has gone up and down since the enactment of World War II GI bill. When I came back from Vietnam, the benefit was a monthly stipend that was not very helpful to most Vietnam veterans. That has been on my mind for years, as I think about the service of our veterans of Iraq and Afghanistan.

Just as the World War I veterans stepped forward and took care of the World war II veterans, I believe it is the responsibility—not wholly, but strongly—of those of us who served in Vietnam and who experienced a lot of the disadvantages of service, once we got out, to make sure we take care of those who are serving now and who have served in Iraq and Afghanistan. It is for that reason I introduced this bill.

To look back on the educational benefits that were derived from this experience, I asked my staff to take a look at those Members of this body—our colleagues—who served in World War II, just to see where they were able to go to school and to see how the World War II GI bill benefitted them, and then to compare that with what they would have been able to do today if

they were the same individual having served in Iraq and/or Afghanistan and were coming back with today's Montgomery GI bill, which basically is a peacetime GI bill that was put in place well before 9/11 and was designed more as a little bit of a bump to assist in recruitment than a true readjustment benefit for people who had been in war.

Our chairman, Senator AKAKA, was able to go to the University of Hawaii under that program, the World War II GI bill. Today, if one were applying for the Montgomery GI bill, 41.5 percent of his education would have been paid for.

Senator INOUYE, who is a cosponsor of our bill, was able to attend George Washington Law School. Today, that would cost $48,460 a year. The Montgomery GI bill would pay for 12.4 percent of that.

Senator LAUTENBERG, who also is a cosponsor of this bill, was able to go to Columbia on a full boat, graduating in 1949. Today, to go to Columbia, it would cost $46,874 a year. The Montgomery GI bill would pay for 12.8 percent of that.

Senator STEVENS was able to go to UCLA and Harvard Law School. His staff declined to be specific about how much of that was assisted by the GI bill, but if one were to go to Harvard Law School today, it would cost $54,066, which is about 11 percent of what the Montgomery GI bill would take care of.

Senator JOHN WARNER, my senior Senator from Virginia, my esteemed colleague and friend, has told me many times he would not be in the Senate today if it had not been for the educational benefits of the GI bill. He was able to go to Washington and Lee for an undergraduate degree. Today that would cost $42,327 for 1 year, of which the Montgomery GI bill would pick up 14 percent. He was then able to go to UVA Law School, full boat, as a reward for his service. Today that would cost $44,800.

Just to be fair, I am standing here today because Uncle Sam made a bet on me. I was able to go to the Naval Academy. The taxpayers of America paid for that. The taxpayers of America would pay for that today, the same amount. I was also in a different situation than most of my Vietnam war veteran colleagues because after I was wounded and had medical difficulties with a bone infection in my leg, I was medically retired from the Marine Corps and was able to go to law school on a program called Vocational Rehabilitation, which was the exact same program as the people who served in World War II received. I was able to go to Georgetown Law School. Today that would cost $51,530 a year. The Montgomery GI bill would pick up 11.6 percent of it.

So on the one hand, we are saying this is the next great generation. This is the next greatest generation. We never cease to talk about how much we value their service, these people leaving home on extended deployments again and again, giving us everything we ask, and then we are giving them a GI bill that was designed for peacetime.

It is not because we don't spend money on education. We just passed legislation for Federal education grants. I voted for it. I assume the Presiding Officer voted for it. If you add up these grants—and these are grants—this is not rewarding someone for affirmative service. If you add up these grants, it is going to cost $18.2 billion this year. We are having a difficult time getting an exact number on what my GI bill proposal would add up to, but the best estimates we have had informally are about $2 billion.

I would submit that with the cost of this war now heading well north of $1 trillion, and with the President coming over and saying he wants $200 billion on top of that and on top of an appropriations bill, we could spend this money in a way that will allow the people who have served since 9/11 a first-class future. We are saying they are that good; let's let them be that good.

For that reason, I hope all of my colleagues will step forward and join me so we can get this legislation passed this year.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FHA MODERNIZATION ACT OF 2007

Mr. REID. Mr. President, each day that goes by, the depth and severity of our country's subprime mortgage foreclosure crisis emerges. It is very difficult. This week I spoke to former Secretary of the Treasury Rubin. I spoke also to the present Secretary of the Treasury, Mr. Paulson, and they both recognize we have some severe problems with our subprime mortgages. This is very deep. It is very hard.

Hundreds of thousands of mortgages are now delinquent nationwide—hundreds of thousands. That is fully twice as many as last year, and last year was not a good year. The most alarming fact is this could be just the beginning. Experts agree as more mortgage rates continue to expire, not thousands, not tens of thousands, but hundreds of thousands of American families could be at risk.

When these introductory ''teaser'' rates expire, these teaser rates where they tease people into taking these loans, sometimes that they couldn't afford—a lot of times that they couldn't afford—when these higher rates arrive, the mortgages that many families can afford today will become impossible to pay off tomorrow. This will leave many with just two options: lose their homes or try to work something out on refinancing.

That is what this is all about. Some say if a borrower gets into financial trouble, it is their obligation and it is their responsibility to find a way out. That is not true. If you have a piece of property, and it is a home and it is being foreclosed upon, you as the owner of that property are going to lose money. There is no question about it. You usually lose about 35 to 40 percent of the value of the home. So the borrower gets hurt. Also, the entity where the home is, a county or a city, if you have that property under foreclosure, the windows are boarded up, and it just loses value. So the tax base of that community suffers.

So we need to do something about that. We are talking about families losing the roof over their heads. Therefore, we need to do something about it.

The chairman of the Federal Reserve Board, Ben Bernanke, recognized that a sharp increase in foreclosed properties for sale could weaken the already struggling housing market and thus, potentially, the broader economy. He was being very deliberate. The word ''should'' should have been used, not ''could.'' But he was being, as he should be as chairman of the Federal Reserve, very cautious.

In Nevada, this crisis is hitting very hard. In 2006, in August, the number of foreclosure filings had gone up by more than 200 percent. We could see another 21,000 foreclosures, we are told, by the beginning of 2009 in Nevada. That is a lot of foreclosures.

One of the things we need to do is have more money for counseling, which the administration has cut back.

There are three items we need to work on in the near term: providing funding for foreclosure prevention counseling, modernizing the FHA administration, and providing temporary but necessary tools to the government-sponsored enterprises, Fanny and Freddie—that is Fannie Mae and Freddie Mac—so they can keep funding available to make or refinance subprime mortgages. So we need to do this.

The Senate Banking Committee passed a bipartisan FHA Modernization Act of 2007 on September 9, 2007, by a vote of 20 to 1. This has broad support of consumers and the industry alike.

As the name of the bill indicates, this legislation is intended to bring needed changes to the Federal Housing Administration that will make the agency more capable of providing the services that homeowners need in today's all-too-perilous environment.

The FHA program encourages the private sector to make mortgages by offering government-backed insurance for the full balance of the loan.

Traditionally, since its inception in 1934, the FHA has played a major role in providing home purchase financing to minority, first-time, and lower income home buyers.

Beginning in the mid-1990s, and until now, however, as more exotic loans entered the marketplace, FHA saw its

overall market share drop dramatically.

In some cases borrowers considered the more exotic loans easier to get. In many other cases, borrowers were directed into those loans by brokers who often didn't have the borrower's best interests at heart.

Unfortunately, these exotic loans often lured borrowers with false or misleading information and contained ''teaser'' interest rates that, once expired, borrowers couldn't afford.

These were predatory loans—and the consequences of these shady practices are becoming more evident every day.

This crucial reform bill modernizes the FHA program by, among other things, lowering mortgage- down-payment requirements and raising the loan limits for FHA-backed loans.

The result will be a better loan option for families that are having trouble keeping up with their exploding mortgage payments. They will have the option of refinancing to an FHA-backed loan with the peace of mind that comes with it.

And for future homebuyers, a fully backed FHA loan with honest, up-front terms, will help prevent crises like we now face, and ensure that more American families will experience all the safety, comfort and stability that comes with homeownership.

Third, the PROMISE Act would temporarily lift the cap on the amount of loans Fannie Mae and Freddie Mac can purchase as investments for a period of 6 months.

The bill could bring as much as $145 billion dollars into the subprime mortgage marketplace and prescribes that the vast majority—at least 85 percent of these resources—be used to refinance subprime loans.

The past decade has seen remarkable growth in American homeownership. What's more, these gains have been enjoyed from coast to coast and among groups that have traditionally been shut out.

We need to ensure that this progress continues.

Mr. President, I have a unanimous consent request here that I have been told the Republicans will object to. I will make the request and then withdraw it. As I said, I have been told they will object.

UNANIMOUS CONSENT REQUEST—S. 2338

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 481, S. 2338, the FHA Modernization Act of 2007; that the Dodd-Shelby amendment at the desk be considered and agreed to; the bill, as amended, be read the third time, passed, and the motion to reconsider laid upon the table; and that any statements relating thereto be printed in the RECORD.

Mr. President, I now will withdraw that request.

What a shame that there is an objection to a bill that passed the House overwhelmingly, came out of committee over here on a vote of 20 to 1, and now there is an objection to it. That is really too bad. We will renew this request before we leave here for Thanksgiving. This will be much-needed relief. Even though the President hates the Government, this Government that was created many years ago has been a lifesaver for home building in our country, and we need to modernize it; it is long overdue. I hope the Republicans will withdraw their objection to this bipartisan, much-needed legislation.

The PRESIDING OFFICER (Mr. SALAZAR). The unanimous consent request is withdrawn.

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

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

Mr. COBURN. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. COBURN. Mr. President, I heard the majority leader's speech. I wanted to put him on notice that I will object to the bringing forward of this bill. It was introduced September 19 and reported out of the Banking Committee on November 13, 2 days ago. We received notice, via hotline, that they were attempting to clear the bill by unanimous consent yesterday afternoon.

This bill addresses a very delicate and complicated area of housing policy on which we cannot afford to make mistakes. I know many Senators, including myself, are strong advocates of how we can help those who find themselves in trouble now. I know the authors of the bill would like to pass it expeditiously. However, it is a big bill. It is an important bill. Under the unanimous consent request, that would mean we would not debate it and offer amendments. For those two reasons, I object, as a Senator from Oklahoma, and I know several other Senators would as well.

The problem with hotlining bills is they don't get due deliberation. Here is a stack of bills that were offered by unanimous consent in the Senate before the August break. Most of the Senators had never read the bills, didn't know what was in the bills. Thankfully, many of them were objected to by Members of the Senate. It is not a good way to legislate.

This is an important issue. We seem to have a tendency that we are afraid to do the real work we need to do because we will be criticized as the one stopping the bill. I am not afraid to stop a bill. I believe we need to get things right. It is not about not wanting to help those in need today, but there are several significant things in this bill.

First of all, the bill changes it so that if you have a $417,000 home, you can get a mortgage; if you are in trouble, we are going to take care of that. That is twice the median price of a home in this country. It lowers the downpayment to 1.5 percent. It exposes American taxpayers to $1.6 billion over the next 5 years. We can solve this problem. We cannot solve this problem by blowing a bill through here without good debate, rigorous discussion of the issues, and alternative options, via amendments, which will address, No. 1, how we got where we are in terms of the subprime mortgage mess; No. 2, how we restore confidence in that market; No. 3, how do we work to secure better oversight on the mortgage industry that put people in the position of owning property they could not afford; and the predatory lending practices Senator REID talked about. We can address those. Doing it under a hotline, under unanimous consent, where we don't have an option to study the bill and think about what other options there can be or how many hearings were held on the bill and what is the response, is not the way to legislate.

I believe the President has not said he would not support this bill. I may be wrong, but I seem to recall that from the past.

I also would like to put in the RECORD an article from the Roll Call of September 17 entitled ''Hotlined' Bills Spark Concern.'' I ask unanimous consent to have this article printed in the RECORD.

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

[From Roll Call, Sept. 17, 2007]

''HOTLINED'' BILLS SPARK CONCERN

(By John Stanton)

Senate conservatives are upset that the leaders of both parties in the chamber have in recent years increasingly used a practice known as ''hotlining'' bills—previously used to quickly move noncontroversial bills or simple procedural motions—to pass complex and often costly legislation, in some cases with little or no public debate.

The increase was particularly noticeable just before the August recess, when leaders hotlined more than 150 bills, totaling millions of dollars in new spending, in a period of less than a week.

The practice has led to complaints from Members and watchdog groups alike that lawmakers are essentially signing off on legislation neither they nor their staff have ever read, often resulting in millions of dollars in new spending.

In order for a bill to be hotlined, the Senate Majority Leader and Minority Leader must agree to pass it by unanimous consent, without a roll-call vote. The two leaders then inform Members of this agreement using special hotlines installed in each office and give Members a specified amount of time to object—in some cases as little as 15 minutes. If no objection is registered, the bill is passed.

According to a review by Roll Call of Senate records, from July 31 to Aug. 3, of the 153 hotlines put out by leadership, 75 of those

were legislative measures, 61 were nominations, and 17 were post-office-naming bills. While a number of the legislative hotlines were routine procedural motions—such as reporting a House-passed bill to a particular committee for consideration—others were for bills authorizing hundreds of millions of dollars in new spending.

According to GOP aides, that run of hotlined bills concerned the chairman of the conservative Republican Steering Committee, Sen. Jim DeMint (S.C.), enough that he made the issue of hotlining the topic of discussion during last week's regular RSC luncheon. Although these aides said DeMint and other conservative lawmakers have yet to broach the topic with their leaders, it likely will become an issue if the trend continues. ''It's inevitable that it will come up,'' one aide said.

According to the Library of Congress' legislative database THOMAS, of the 399 bills or resolutions passed by the Senate this year—which range from recess adjournment resolutions to the Iraq War supplemental bill—only 29 have been approved by a roll-call vote. The rest have been moved via unanimous consent agreements, the vast majority of which were brokered using the hotline process.

Critics also point out that hotlining is often done during ''wrap-up'' at the end of the day—which can occur well after Members' offices have closed for business—and is particularly popular in the runup to recesses.

In a March 2006 floor speech, Sen. Jeff Sessions (R-Ala.) harshly criticized the practice. ''The calls are from the Republican and the Democratic leaders to each of their Members, asking consent to pass this or that bill—not consider the bill or have debate on the bill but to pass it,'' Sessions said.

''If the staff do not call back . . . the bill passes. Boom. It can be 500 pages. In many offices, when staffers do not know anything about the bill, they usually ignore the hotline and let the bill pass without even informing their Senators. If the staff miss the hotline, or do not know about it or were not around, the Senator is deemed to have consented to the passage of some bill which might be quite an important piece of information.''

During that brief pre-recess period this summer, the chamber passed S. 496, a bill sponsored by Sen. George Voinovich (R–Ohio) making changes to the Appalachian Regional Development Act of 1965. According to the Congressional Budget Office, those changes will cost $294 million over five years.

In many cases, bills are placed before the Senate for only a few days or even hours before they are hotlined. For instance, the Senate received H.R. 727—a bill sponsored by Rep. Gene Green (D–Texas) amending the Public Health Services Act—from the House on March 28, according to THOMAS. Senate Majority Leader Harry Reid (D–Nev.) and Senate Minority Leader Mitch McConnell (R–Ky.) hotlined the bill the following day. According to CBO, the bill is expected to cost $40 million between 2008 and 2012.

Sen. Tom Coburn (R–Okla.) said hotlining bills is not necessarily a bad thing but that Members have increasingly seen the process as a right. ''People think they can hotline [a bill] and you have to agree,'' Coburn said, adding that ''a lot of Members are offended'' if anyone raises an objection or wants to offer changes to a bill.

Coburn also said that because of limited floor time, ''we don't have time to debate everything . . . but if you object, they ought to be willing to negotiate with you. But usually, they put the press after you.

''They accuse you of being against veterans, of being against breast cancer patients . . . I've been accused of so many things,'' Coburn lamented. But he insisted that when sponsors of bills he has objected to take his concerns seriously, they often are able to work out an agreement.

For instance, he points out that earlier this year, when Sen. John Kerry (D-Mass.) brought a small-business bill to leaders to be hotlined, Coburn initially objected because of problems with the bill. He and Kerry entered into negotiations to resolve their differences, and the Senate ultimately passed the package by unanimous consent. ''We gave a couple of things, he gave a couple of things and we passed the bill,'' Coburn explained.

Bill Allison, a senior fellow at the government watchdog group Sunlight Foundation, said the process of hotlining has added to the lack of transparency and accountability in Congress. ''Hotlining bills diminishes the accountability of Congress. Senators are forced into an 'all-or-nothing' posture—place a secret hold on legislation and negotiate in the back room, or keep their objections to themselves. The Senate is supposed to be a deliberative body, and those deliberations should occur in the light of day and be part of the public record,'' Allison said.

Mr. COBURN. The increasing practice of this body of passing bills by unanimous consent rather than debate and knowledge about what we are agreeing to does the Senate a disservice. All you have to do is watch C–SPAN and see how much time is spent in quorum calls in this body. I, for one, would never object to unanimous consent for us running several bills at the same time so we can continue to discuss them. We should not be passing bills without good thought, good debate, and an amendment strategy that will improve the bill and protect the future taxpayers of this country. That has to be a requirement as we address it.

I thank Senator REID for his attention to what is truly a real problem. But the process is really what matters on this issue. We need to get it right. There is too much risk. Therefore, if we decide to bring this request back up, I will come back down and object.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HUTCHISON. 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.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to speak 10 minutes as in morning business.

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

Mrs. HUTCHISON. Mr. President, I rise today to talk about the bridge fund bill that passed the House of Representatives last night. I don't know why it has to be so hard to pass an emergency supplemental to assure that our troops in the field get the money they need to support them in the job we are asking them to do.

The President has asked for almost $200 billion to get us through some point in January or possibly into the spring. But the bill that has come over is roughly in the $50 billion range and it has all kinds of constraints and strings and mandates from the Congress.

Our military strategies should not be determined by events 6,000 miles from the theater where our young men and women have boots on the ground. This bridge fund bill is the latest attempt in a year-long effort to constrain the ability of our generals and our brave men and women in uniform to fight this war effectively.

During the past year, the Senate has been forced to vote 40 times on bills limiting the generals' war strategy. None of those bills passed but one, and it was vetoed.

Since this assembly line of bills started last February, the situation in Iraq has changed so much. General Petraeus has implemented a strategic readjustment that has produced encouraging progress. Last week, U.S. commanders and the Iraqi Government proclaimed that al-Qaida had been routed in every neighborhood in Baghdad, citing an 80-percent drop in the murder rate since its peak.

The British Broadcasting Corporation reports:

> All across Baghdad . . . streets are springing back to life. Shops and restaurants which closed down are back in business. People walk in crowded streets in the evening, where just a few months ago they would have been huddled behind locked doors in their homes.

This is from the BBC.

Some 67,000 Iraqis have joined U.S.-organized citizens watch groups. Roadside bomb attacks have receded to a 3-year low, while finds of weapons caches have doubled in the last year. The progress has been so impressive that General Petraeus has recommended a drawdown of troops because conditions on the ground merit such action.

In the last 10 months, so much has changed in Iraq, and yet on the floor of the Senate, nothing has changed at all. We are still voting on bills for premature withdrawal, not taking into consideration what is happening on the ground, even when victory is in sight.

This is a new day in Iraq, and the Senate should recognize that fact by providing a vote of confidence in our generals instead of threatening to pull the rug out from under them.

If there are Senators who believe the war is lost, they should vote to defund the war instead of threatening to tie the hands of our commanders which would needlessly endanger our troops.

We know from our troops in the field that we must keep our commitment. This war has been costly for America in lives and dollars. The consequences of failure, after all we have spent in our treasure and our young men and women, would be catastrophic. If we abandon Iraq prematurely, it will become a sanctuary for terrorists, and they will launch attacks on the American people.

There is also a real danger that Iraq could become a satellite of Iran. The Iranian Government has a long record of sponsoring terrorism and arming the insurgents who are killing our brave soldiers in Iraq.

For all these reasons, we cannot abandon Iraq. We can leave when the generals say it is safe to leave because Iraq will be stable, that it will not be a terrorist training ground, and that is the only way we can leave Iraq, if we are to uphold the integrity of the United States of America.

We must persevere and succeed in this war, just as generations before us have done when we fought and defeated fascism, communism, and nazism. Our soldiers, sailors, airmen, marines, and Coast Guard have sacrificed greatly to keep us safe and free, and we must support them in this mission. The mission of a stable Iraq rather than a breeding ground for terrorists must be accomplished.

The bill is coming to the Senate from the House which passed it after a long, arduous debate last night. I urge my colleagues not to do something that would so damage the integrity of the United States of America and hurt our troops on the ground in Iraq and Afghanistan by putting them in danger by underfunding them, by not giving them the vote of confidence they deserve. It would be unthinkable.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mrs. LINCOLN. 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.

THE FARM BILL

Mrs. LINCOLN. Mr. President, I come to the floor today to discuss one of the issues we have been talking about an awful lot recently, and that is the farm bill; more specifically, the unique nature of agricultural production in the United States.

We are all going to leave next week and go home, hopefully, to celebrate Thanksgiving with our families, to talk about this wonderful blessing we have in this great country of ours—the enormous bounty that exists, the blessings of living in a free country, living in a place where we do not have to worry about going to the grocery store and finding the shelves empty or we do not have to worry about those things that are produced here not being safe or acceptable. That is because we have not only very conscientious producers and farmers, but we have a system and respect in our Government that recognizes how important it is to the American people to maintain that bounty.

As we all go home to celebrate Thanksgiving and give thanks for this wonderful country in which we live and the bounty that it provides us, I think it is so important to talk about the big tent that exists in this country, the big tent that encompasses all of the diversity of agricultural production in different regions across our Nation. It is an important aspect that we should embrace, and I hope my colleagues will think about that as well.

As we discuss the farm bill and agricultural production, my colleague, the Presiding Officer, is representing a wonderful agricultural State, beautiful and vast, and it is very different from mine in terms of its assets and what it contributes to this great land. My State is different than Colorado. It is vast and different, just within the boundaries of my State, but certainly in terms of what it brings to the table in our Nation in terms of the bounty that it provides.

Perhaps one of the most frequent questions from so many, particularly of my urban colleagues—because I do share a seat with so many other farm Senators on the Agriculture Committee, but a lot of times the question from my urban colleagues is, why are farms in Arkansas different from, say, farms in North Dakota or Michigan or Indiana or Colorado or other regions of our Nation?

Although the answer is pretty simple, it does require quite a lot of time to talk about. It looks as if we have a good bit of time today, so I thought I would seek this opportunity and, for the benefit of those inquisitive Senators who sometimes ask why are things different in different parts of our country and in all of our different States, offer an explanation that I give, certainly, to my colleagues and to others who are interested and concerned about us as a nation maintaining the safe and abundant and affordable supply of food and fiber that exists in this country for which we are all so thankful.

First, and this should come as no surprise, each of our States produces the agricultural products for which its climate and its soil are best suited. That is one of the things we do in Arkansas. It, obviously, has been that way for years. Farms in Arkansas might be older than those in some of the States that exist to our west. As our country was explored and discovered, many of those lands in the West were discovered, and their climates and their soil types were different. As we have grown as a nation, they have adapted themselves to the crops for which they are best suited. For the colder climates of the Midwest, it makes sense to produce corn and wheat and sugar beets. For us in the South, with our more humid climates, and given, certainly, our soil types—we have a large clay content and often sandy soil along our river bottom—we are suited for cotton and rice production. So that is the first explanation I try to give people, to talk about those differences so we better understand what the differences are.

Second, you have to take into consideration what the markets are for our commodities. Again, we are a vast country, full of so many blessings and diversity. As we have grown, international markets have grown and changed as well.

Let's start with corn. By now I think everyone in this body is familiar with the fact that we mandate a corn ethanol market through the renewable fuels standard. It is important that we move toward a renewable fuel. It has multiple purposes. Renewable fuels will help us clean up the environment and will certainly lessen our dependence on foreign oil. It also gives secondary markets for our growers. But so far we have only gotten pretty far on corn-based ethanol.

We have mandated this market for corn, and it has done quite well. We make sure those corn growers' prices stay up because there is a market. There are tax incentives that are built in to ensure those markets are going to be there for corn.

In addition to the creation of the market, we place a prohibitive tariff at the borders of our country to ensure that only American farmers have access to that corn market. That is for good reason. That marketplace has really matured in terms of ethanol production and the direction we are going to the point we are now realizing that renewable fuels are going to need to come from other sources as well; that we cannot just depend on that corn-based ethanol program but that we have to start looking toward cellulosic and biodiesel and biomass and a whole host of other renewable energy sources. But the fact is, we still protect that corn market to a tremendous degree.

For sugar, we have a unique program that doesn't make payments to farmers, but, like ethanol, it limits the international competition, and it supports the processing of these commodities.

Sometimes sugar is supported in the processing facilities, and therefore those protected markets and that payment coming down to those farmers is a little bit trickier to understand than the regular commodity program.

Rather than offering a whole lot of detail on a program that does not directly impact my State, I would rather direct folks to the individuals who represent the States here that are affected by those crops. I think it is most important to let those who understand crops in their States give their descriptions because they have a better intuitive idea of how those programs work and how their growers benefit and how the economy benefits from it and certainly how the American people benefit. There are a lot of Members who can tell you about that.

As the President knows, we on the Ag Committee—everyone has their specialty and certainly their best understanding when it comes to corn and sugar. I kind of focus on the folks who know those the best to be able to provide you the details. But, in short, sugar has an entirely separate program

subject to different disciplines but with a market that is very domestic and exclusively limited to American sugar farmers. So you have two of these products now, or commodities, that have very different disciplines in terms of what protects them or what provides them that very defined as well as insured marketplace through both the constricting of the marketplace without allowing imports to come in and also the incentives they have in the way those safety nets are provided to them through their processing.

Now, here is a market that I do know about and that I can talk about, and that is what comes from my region of the Nation, which is cotton and rice.

First and most importantly, I need to point out that these two commodities are subject to very intense global competition. Rather than simply state that as a fact, I will offer a couple of explanations.

Rice is a stable commodity globally, all over the world. As such, it is produced in many regions, including the developing world, those nations which are not as developed as we are or as old and efficient as we are. The same is true for cotton.

What is also true is that our market is open to direct competition from international producers while our access into their foreign marketplace is extremely limited. Now, that means our border is open to their rice and cotton being shipped into our country. So our growers not only have to compete to get into our marketplaces, but they have to compete here with products that are allowed to come in from other countries—the rice and cotton, specifically.

I think the best example or one of the best examples is Japan. Japan's rice tariff comes in at over 400 percent. That is more than enough to keep American rice out of their marketplace, I have to tell you, a 400-percent tariff on rice going into Japan. Yet our markets are open. Our markets are open to commodities coming into this country.

Another good example that can be used is the treatment of rice in the recently negotiated Korean Free Trade Agreement. For every product produced in the United States of America, we reduce the Korean tariff, limiting our access into theirs immediately or phased in over 20 years, every one with the exception of one commodity—it is rice, one commodity that is not allowed to be exported into the Korean marketplace.

So it just goes to show you the fact that our commodities, although they are different and grown differently and a whole host of different things, also are treated differently in the global community and in the global economic venue. At this point, you should start to be seeing a pattern here in terms of the differences not only in how we grow our commodities but also how our commodities are dealt with in the marketplace. Our market is open to competition, while our export markets remain closed to our growers of our commodities.

Now, do not get me wrong, I am not here advocating that we need unabashed free trade for agriculture because I know that to expose the Third World to our productivity would decimate vulnerable parts of their economies that support the poorest of the world's poor. So that is not what we are talking about. This dynamic is more than a reality for U.S. farmers; it is a part of America's obligation within the World Trade Organization.

Now, I will summarize that point just briefly. In the WTO, the United States and other developed nations must report their subsidy level, and they must restrict their tariff level. The conversion is true for the developing nations that are members of the WTO. They are not subject to even reporting their subsidy, and they have little to no obligation with respect to opening their markets.

Now, again, I am not saying this is a total and complete outrage; I am merely trying to paint a more comprehensive picture of what American agriculture is up against in the global economy. Without a doubt, as we have heard in multiple different meetings across the Hill that many of us go to, whether it is our lunch groups or our hearings in committee and others, we hear all of the talk about global trade and about the global economy and developing countries and where they are going, placing priorities in education and infrastructure investment and a host of other things, and we see our trade deficit growing. Yet agriculture has always been one of those areas where not only we as Americans feel it is important to maintain that domestic production of a safe and affordable and available food supply, but we also know it is a big issue to other countries that they can maintain some domestic production and hopefully as much as they possibly can grab hold of in terms of that domestic production.

With that said, it simply cannot be ignored that these disparities in international competition contribute to the world in which the U.S. cotton and rice producers must compete and therefore influence how they must structure their operations. So, again, for us, in meeting different demands, in looking at the global marketplace and trying to figure out how we structure ourselves as growers, it is not just about the soil type or the weather and the climate; it is also about the international marketplace, which leads me to the explanation of the last question which is posed to me; that is, Why are Arkansas farms so big?

It should not be difficult for Members of this Chamber to understand that when you face intense competition and your foreign markets are closed, you have to create efficiencies. You have to create efficiencies elsewhere in your business operation in order to be able to compete because you do not set the world market price. You have to be able to compete on that international global stage by your own efficiencies.

It is the good fortune of everyone in America that our farmers are the most efficient farmers in the world. Certainly, we are the beneficiary of that in this great country, but people all across the globe understand that, that not only are we the most efficient and can do it the most affordably, but we produce the safest and set a standard in many instances across the globe of what is going to be produced in future generations in terms of sustenance of life. We have improved our efficiencies in ways that cannot be described here in a short period of time, but suffice it to say that the American farmer is the most efficient on Earth, and are we not all glad? That is something for us to be proud of in this body and across this land. If you are not or if you take our bounty for granted in this great Nation, you should be ashamed of yourself. That is the reason this bill is so important, is that we have been handed this blessing. We have worked hard on this Earth in this great land of ours. But we certainly have reason to be proud.

Despite our efficiency in cotton and rice country, we are still operating on very thin margins of profit. In some years, we merely hope for profit that really never comes.

What we have done to help level that playing field is to expand our operation to further reduce our per-unit cost and, in turn, create a competitive economy of scale. Now, that means we have to spread our risk out over a greater abundance of production because that is one of the only ways we have to get the efficiency to be able to be competitive in a very restrictive market, and that is to have a large economy of scale and mitigate our risk over a greater area.

Now, unfortunately, many newspapers and some of my colleagues attribute USDA statistics for commercial-size operations to many of our Arkansas and southern farms and assume we are no longer family farms simply because of our size. What a terrible misrepresentation. I think it really diminishes what we are about in this body, which is to embrace our diversity and embrace the good work all of these hard-working farm families do across this Nation. And without a doubt, it is simply untrue. I do not know of too many nonfamily farms in my State. There are a lot of people who are going to tell you that because they belong to a cooperative or because they maybe farm more acreage, they are not a family farm. In fact, I do not even know of one.

What I do know a lot about is fathers and sons, wives, daughters, brothers and sisters who work the land with one another. They have to come together. They have to build their operation, come together, and stay together if they are going to survive. Even when that generation upon generation finds

that one of those brothers or sisters happens to move to the city to become a doctor or maybe an electrician or maybe a fireman or maybe a lawyer, they still help share the risk of what that farm has to do, which is to create that economy of scale in order to be competitive.

So hopefully we can still consider those people a family farm, because, guess what, they are still a family, and they are still farming and they are all carrying the risk of what it takes to be competitive in that global marketplace. Now, their operations may exceed several thousand acres, and they most certainly are still family farms.

In fact, I cannot imagine a definition of a family farm that does not include the overwhelming majority of Arkansas farmers, but apparently such a definition exists. USDA seems to come up with these definitions, and they print them out up here in Washington, inside this bubble, and they fail to realize that there is a lot of diversity in this great country. There are a lot of family farms that exist. It is not just family farms in the Midwest, it is not just family farms on the east coast, but it is family farms in other regions of the country too—yes, in our region of the country too.

Now, I will go ahead and put my colleagues on notice that until those misrepresentations cease—and I have to tell you, they have been long and hard for many years in terms of the misrepresentations of what a farm is and who constitutes that farm. You know, I am a daughter of a farmer, but I cannot imagine the way I get labeled as having been this huge farmer when I am not even farming. Yet that misrepresentation continues to come out there just because it is convenient and it is sensational and people can use it.

Well, I have to say that it does not matter to me what happens to me, but it does matter what happens to those hard-working farm families who are working so hard to make sure we enjoy that safe and abundant and affordable food supply regardless of what happens in the international community. My colleagues know they are going to hear a lot more from me on farm policy that supports farmers throughout this great country as the debate goes on.

It is my opportunity to describe and talk about the individuality of each of these areas. I will hone in on my part of the country because I leave how other commodities are farmed up to those who farm them. But I can definitely tell you, having walked rice levees and scouted cotton and chopped down coffee bean plants in a soybean field, how our farms run and why they run that way, I understand the markets. I understand the global trade implications that exist. I understand that all of the programs we design oftentimes in the farm bill don't fit us.

For example, take disaster assistance. I was glad to work with my colleagues in the Midwest who wanted to see a disaster assistance program, even though it doesn't benefit my farmers that much. When you have a farm in the South and you are farming rice, you have to control your environment. Have you ever seen a rice field that has no water on it? Unless it is being harvested, you haven't. The reason is, you have to control that environment. When it comes to disaster assistance, those counties get the same national disaster declaration on a drought. But guess what. They are never going to get that disaster assistance because they hardly ever hit the 35-percent yield loss that comes with another stipulation in disaster assistance, because they have controlled their environment.

I will tell you what: They have spent twice the effort and resources and money in plowing into that crop what they needed to combat that drought and that disaster that was occurring. So they need another tool. They need another tool within the confines of our farm legislation that allows them to market their crop, to market their crop in this competitive global marketplace so the Government doesn't have to do it for them.

As I plow through this—and I know I will have many other opportunities to do so—I hope I have answered some questions or at least demonstrated some of the differences in our ag land down in the southern half of the Nation. We are all a little different. I have to tell you, for that we should be extremely grateful and proud, and we should embrace that diversity. As a nation, that is what makes us strong, our diversity and our willingness to embrace it and our willingness to respect it. That is what makes us Americans. Despite these differences, it has always been my view that regardless of the type of crop or the region of the country you live, if you contribute to the production of safe agricultural commodities, I consider you a farmer. I consider you an American farmer. I don't judge that and I don't judge you as an American farmer based on whether you are in one region or another or how big your family is or how big your farming operation is. I judge you by the fact that you are willing to go to work and work hard every day to do the best you can, to be as efficient as you possibly can, not only in this country but in the global marketplace, with tremendous respect to the environment, the conservation of land, and the ability to produce a safe and productive food supply. That is who farmers are.

If we let other people define who a farmer is and a farm family is, then we will be sorely disappointed when we start to outsource our food to other countries. I think we have become sorely disappointed to find ourselves dependent on foreign oil, to have outsourced our need for energy in the oil arena to other parts of the world. We will find ourselves once again in the next several years with a trade deficit in agriculture, outsourcing our food supply. I don't think Americans want to go there; I really don't. I think they are willing to listen for the diversity and expertise and the hard work that goes on by America's farmers to continue to produce that safe and abundant, affordable food supply. As a farmer, regardless of the region of the country, we have to help our farmers keep meeting that competition.

I have the reputation of being that kind of person, of reaching out and working with people, understanding differences, accepting differences and accepting other people's ideas. I hope we all have that attitude. But mostly, I try to be respectful of people. Unfortunately, my farmers and I have not been given that same respect by everybody. I am going to continue to work hard to prove my point because I am going to earn that respect. I am going to earn that respect not only in what we have done in this underlying bill, in creating the greatest, most substantial reform in decades. We started over here in current law and most of the extremes that people want are way over here. Guess where we have moved. In terms of providing the reforms that the media and others all clamor about, we have come from here all the way over here. That last little bit people want to ask of us will outsource the food supply that southern growers have so proudly provided this country for many years.

I am proud to be here to defend and support and be proud of Arkansas farm families. They have worked hard. They will continue to work hard. I have fought this fight for several years, and I will continue to defend the programs and my farmers who use them within the limits of the law. Creating greater reform is important. Our farmers want to make sure they are in compliance with the law and that they are working hard within the parameters to do their very best. But they also want to be able to be competitive, because they want to continue to provide that safe and abundant supply of food and fiber. And they can—most efficiently, most effectively, most safely, as well as with the greatest respect to the environment. I hope people will not continue the sensationalized stories and misrepresented facts in order to get something done that does nothing but move forward in outsourcing our food and fiber supply.

I hope I have brought some clarity here today. I will continue to try to do that. I look forward to working with my colleagues. We have a long road ahead of us to get something done. But I think everybody will agree it is worth it. It is well worth it, as we return home to be with our families, to give thanks for this wonderful Nation we live in and the bounty it provides. I hope we will come back and sit down and get to work supporting America's farm families and the hard work they do, recognizing all of the tremendous challenges they face, mostly challenges they have no control over. Whether it is the trade agreements they operate

under, whether it is the environment and the weather they deal with that they have no control over, it is certainly within the confines of the requirements and the regulations we present them to empower them to do a better job or certainly the best possible job in taking good care of the land and being good stewards of this great land we have.

I thank the Chair. I look forward to working with my colleagues.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from New Hampshire.

Mr. GREGG. Madam President, I understand the Senator from Idaho intends to speak. I ask unanimous consent that I be recognized to speak after he is concluded.

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

The Senator from Idaho.

Mr. CRAPO. Before she leaves the floor, I commend my colleague Senator LINCOLN. I agree with her strong defense and support of America's farmers, particularly our family farms and the need for a farm bill. She and I may come from different parties, but we have shown that you can work together. I consider her to be one of my very good friends and allies as we work toward good policy. I appreciate the opportunity to sit here and hear her remarks. It is great to see someone stand up and respond to the attacks we see coming against American agriculture. It seems every time we have a farm bill, the attacks begin again. Yet it is in America where the American consumers spend the lowest percentage of their disposable income on food and fiber because we have such strong farm policies.

I also agree with her comments about the need for us to remember we are in global markets. Those who produce food and fiber in other nations have tremendous subsidies from their governments where their governments enable them to compete unfairly against our producers. In fact, not only do their governments provide unfair, extensive subsidies to their producers, they also erect significant anticompetitive trade barriers, both tariff and nontariff trade barriers, so that the products they send to us are subsidized and the products we try to send to them are stopped at the border because of these barriers. It is because of these kinds of international market circumstances and the global competition we face these days that it is important for us to recognize the role of the farm bill in helping American producers level that playing field.

Again, I appreciate so much the opportunities I have had to work with Senator LINCOLN on this and many other issues. We have worked together to strengthen and improve American policy.

I came to talk about the farm bill, and I will do that. But before doing so, I want to talk a little bit about the process, because I am very disturbed by the position the Senate is in right now. We could have been debating amendments to the farm bill for a week or two now. Instead we have been stalled by a procedure that has filled the amendment tree, for those who don't follow the rules of the Senate. The amendment tree has been filled up so no one can file amendments to the farm bill. Yet I understand there are over 260 amendments that have been prepared and which are out there waiting in the wings from different Members of the Senate. We are not going to see all 260 of those amendments debated and voted on. That never happens. But we should see a significant number of them debated and voted on.

Those of us who serve on the Agriculture Committee or the Finance Committee have seen both pieces of this farm bill be very vigorously debated at the committee level with all sorts of amendments and work developing the right kinds of process. Now it is time for that same process to occur here on the floor. Yet we have not seen one amendment allowed to be brought forward. The farm bill affects so many people's lives through providing food and fiber and security and enabling global competitiveness and ensuring a better environment. I could go on. But we must allow all Senators the opportunity to bring forth amendments they believe need to be debated before we have the final vote on the farm bill.

We have all heard by now the debate here in the Chamber and in other places about numbers, highlighting the multiple rollcall votes we have had on previous farm bill debates. Let me review a few of those. According to the information I have, during the 2002 farm bill debate, which is the most recent farm bill we have had, there were 49 amendment votes, including 25 rollcall votes. In 1996, on the farm bill preceding the current one, there were 26 amendment votes, including 11 rollcall votes. And during the farm bill debate previous to that in 1990, there were 113 votes, including 22 rollcalls. In 1985, there were 88 votes, 33 of which were rollcalls. Yet now during this debate or nondebate, we have had zero votes on any amendments because the amendment tree has been blocked.

I am discouraged by that because we could have made significant progress on this farm bill. Now what we see is a maneuver which is proposing that cloture be entered which would cut off debate on the farm bill and push it forward without giving us the opportunity for a full and robust debate on amendments.

I encourage our leadership on both sides to get past this impasse. I know there has been a lot of progress made in terms of an effort to limit the number of amendments and try to get a determination of how many amendments will be allocated to each side and allow us to move forward. But for whatever reason, we haven't been able to get that agreement resolved. The farm bill is too important for these kinds of partisan politics and maneuvers. I know there are concerns about certain amendments that may be brought. There are some on either side, depending on the amendment, who would prefer not to see the amendment brought because it could cause an embarrassing vote on behalf of some Members. I will face that same dynamic as amendments are brought forward. There will be amendments that will be difficult to face. But it is something we must do. It is the tradition of the Senate that we fully deliberate on matters such as this and that debate is not closed down.

I say again to our majority leader and our minority leader, we need to work together, avoid cloture votes, and avoid restrictions that prohibit Members from bringing their debate forward in this Chamber and allow us to have a full and robust debate so we can move the farm bill forward.

I remain committed to working together to move this farm bill forward in the Senate through a full, fair, and open process, and I hope we can get to one soon.

Now, let me turn to my comments on the farm bill itself. Many people say we should not call it the farm bill—in fact, I think it actually does have a different title now—because the farm bill is much more than just a bill that deals with commodities programs.

In fact, the farm bill, with the new addition of the Finance Committee title, will have 11 titles in it, only one of which is the commodities title. There are other titles dealing with rural development, with energy policy, and, as most people are not aware, with the food programs of our Nation.

In fact, if you look at the allocation of resources in the farm bill, only about 14 percent of the cost of the farm bill is truly allocated to the agricultural commodity programs. Over 60 percent—I think around 66 percent—of the cost of the bill goes to our Nation's food programs, such as our Food Stamp Program and the other programs that we have in international aid.

Then there are the programs dealing with conservation, which I am going to talk about in a minute, which is probably the most significant conservation effort in which this Congress gets engaged in any kind of an ongoing basis. Yet far too few Americans realize the commitment to the preservation and conservation and improvement of our environment that is contained in the farm bill.

There are more than 25,000 farms and ranches in Idaho producing more than 140 commodities statewide. Idaho leads or is ranked among the top States in the production of potatoes, peas, lentils, mint, sugar beets, onions, hops, dairy products, wheat, wool, cherries, and other commodities. Therefore, the farm bill is of vital importance to a more than $4 billion Idaho agricultural industry, which is an essential part of Idaho's economy.

In preparation for this farm bill authorization, like Chairman HARKIN and

Ranking Member CHAMBLISS, the House Agriculture Committee and former Agriculture Secretary Johanns, and others, I sought input from producers and those interested in the farm bill throughout the townhall meetings and hearings I had in Idaho, and I listened to many of my constituents voice their criticisms, bring forward their suggestions, and bring forward their praise of the last farm bill—the current farm bill under which we are operating.

What I heard loudly and clearly was that the basic structure of the 2002 farm bill is solid, and rather than starting from scratch, we should make changes to it and improvements to that basic structure as needed but not lose that structure that has been so helpful to our farmers and to our rural communities in particular throughout America. I have been pleased to work with my colleagues on the Senate Ag Committee and in the Congress in general to craft a bill that I believe sticks with that principle.

The bill before us today does not wipe away existing farm policy but builds on it for a stronger Federal farm policy. As Senator LINCOLN indicated, it makes some very significant and needed reforms to move in the direction of addressing the concerns that many have raised about some inequities in the farm bill processes.

The legislation includes essential provisions, such as the new specialty crops subtitle that strengthens specialty crop block grants and other important programs. I have appreciated working with Senator STABENOW, Senator CRAIG, and others on this effort, and I thank Chairman HARKIN and Ranking Member CHAMBLISS and Senator CONRAD and others who have worked with us in shaping Federal farm policy that bolsters U.S. agriculture through provisions such as these specialty crop programs.

Additionally, I thank Chairman BAUCUS and Ranking Member GRASSLEY on the Finance Committee for the time they spent in crafting a tax title for the farm bill that enables us to make some additions and tweaks that were needed. It has been an honor to be one of the Senators who serves on both the Finance and Agriculture Committees, the two committees with products that will be merged together on the floor of the Senate to make up this year's farm bill.

There are a number of highlights in the tax title of the farm bill I want to mention. In the tax title of the farm bill, I worked with several Senators to include improvements to the Endangered Species Act through incentives for landowners to assist with species recovery. For years we have struggled with the burden that the Endangered Species Act puts on private property owners. Notably, about 80 percent of the endangered or threatened species in America are found on private property. Yet we have put the burden of protecting and preserving and recovering those species unduly on our private property owners.

This bill I have introduced and worked on with many others in the Senate will provide participants with the option of a tax credit instead of the Conservation Reserve Program, Wetlands Reserve Program, and Grasslands Reserve Program.

This farm bill also provides support for wheat, barley, sugar, wool, and pulse crop producers. Pulse crops would become eligible for Counter-Cyclical Program assistance.

The Noninsured Assistance Program would provide coverage for aquacultural producers who are impacted by drought.

There are significant investments in energy programs that would assist producers with efforts that support energy independence.

Changes to Project SEARCH would allow financially distressed rural communities in Idaho and nationwide to access increased Federal assistance for their water infrastructure needs.

The Fresh Fruit and Vegetable Program would be significantly expanded to enable all States to participate. Expanding this program nationwide will further the effort to provide healthy food choices for our children. This program is a win-win for children, students, and producers.

I have visited Idaho schools and have seen firsthand how the Fresh Fruit and Vegetable Program has been a big support to our students, and I look forward to seeing the additional benefits brought through this program by making it available to more students.

There are many other provisions of importance in this extensive legislation that I could bring up and review, but instead I want to just focus on one vital area of the bill—the conservation title—before concluding my remarks.

I have appreciated having the opportunity to work with my colleagues on the conservation title, which provides landowners with both the financial and technical assistance necessary to achieve real environmental results.

As I said earlier, no Federal policy contributes more to the improvement and protection of our environment than the farm bill, through the incentive-driven conservation programs. The conservation title provides $4.4 billion in new spending for conservation programs. The title continues with the current combination of conservation programs with improvements to make them work.

For example, the Senate farm bill makes changes to the EQIP, or Environmental Quality Incentives Program, to ensure that private forest land owners receive the help they need to better manage their land.

Chairman HARKIN made numerous changes to the Conservation Security Program, which has been renamed the Conservation Stewardship Program. The Senate farm bill provides $1.28 billion in new spending for that program.

There are also adjustments made to increase participation of specialty crop producers in the Conservation Stewardship Program, dedicated conservation program resources and higher technical assistance levels to increase participation of beginning and socially disadvantaged farmers and ranchers. The title also provides added emphasis to encourage pollinator habitat improvements on agricultural and forest land.

Funding is provided for the Wetlands Reserve Program and the Grasslands Reserve Program, which did not have baseline funding starting in 2008. The Wetlands Reserve Program would be provided with funds to enroll 250,000 acres per year through 2012. The Grasslands Reserve Program would be provided with $240 million for fiscal years 2008 through 2012.

The Conservation Reserve Program would be maintained at 39.2 million acres. The Wildlife Habitat Incentives Program would be continued with $85 million per year for fiscal years 2008 through 2012. The Farmland Protection Program would be reauthorized at $97 million per year through the duration of the farm bill. The conservation title provides for the creation of a framework to facilitate the participation of farmers in greenhouse gas reduction and other environmental services markets.

Now, I understand the challenges faced in writing this farm bill and the significant investment that has been made in conservation programs, especially having to cover baseline shortfalls for the Wetlands Reserve Program and the Grasslands Reserve Program. However, a broader investment is needed in our conservation programs, such as the Environmental Quality Incentives Program and the Grasslands Reserve Program, so we can better capitalize on the conservation interest and needs across this Nation.

I will continue to work for investments in working lands conservation, such as the EQIP program and GRP, or Grasslands Reserve Program.

With any legislation that is as comprehensive as this, there are always provisions that each of us would like to see come out differently. However, on a whole, this bill before us builds upon past farm bills and sets U.S. agriculture on the right course. Throughout the crafting of this bill, it has been refreshing to see that more people are starting to understand each aspect of this important legislation. Truly, there are few pieces of legislation that have the ability to impact so many lives. This bill affects our Nation's food security, our global competitiveness, the condition of our air, water, and land, as well as many other aspects of our lives.

I look forward to getting past the impasse we face on the Senate floor and moving forward to a timely debate and the enactment of a farm bill that enables sound Federal farm policy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I rise to address the issue which has been noted by the Senator from Idaho,

which is the process under which the farm bill is being considered in the Senate.

A number of the Members on the other side of the aisle, primarily the leadership, have spoken on this process and have made the representation that in some way we, on our side, are slowing down this bill. Nothing could be less accurate, in my opinion.

I know, although I do not happen to support the farm bill because I think it is bloated in many ways and essentially ignores the concept of a marketplace, the farm bill is going to pass. It always does pass. It always passes with a very large majority, which is assured by the fact that enough commodities are put into the subsidy system so that you can add up enough people to support it, so it will always pass with a large majority. And there will be 20 or 25 people who will vote against it.

So I have never held any belief or even thought for a second this farm bill was not going to pass the Senate. It is going to pass the Senate. It has not been my intention to either slow it down or try to defeat it because I know I cannot do either—or I did not think I could do either.

My intention was to improve it and to address issues which I think are relevant to it or which are appropriate to the issues which the Senate should be addressing today generally.

But, unfortunately, on the procedure that has been structured by the majority leader, all Members of the Senate, but especially members of the minority—the Republican Members of the Senate—have been shut out of the ability to amend this bill.

The majority leader has essentially created a system which you could call the ''permission slip'' approach to legislating. If he does not give you a blue permission slip, you cannot bring forward an amendment on this bill.

Obviously, that does not work for those of us who wish to amend the bill. But, more importantly, it does not work for the institution. The essence of the Senate is the ability to amend legislation when it is on the floor.

Washington described the Senate as the place where the hot coffee from the cup—referring to the House—it is the saucer into which that hot coffee is poured, so it can be looked at, thought about, and reviewed to make sure there is not hasty action, to make sure there is not precipitous action, to make sure there is not action which will come back to haunt us because we did not try our best to anticipate the consequences.

So the Senate was structured to be a deliberative institution. That was its purpose. Our Founding Fathers designed it with that intent in mind, as expressed by George Washington. It has always worked that way. We have always, when we have had major pieces of authorizing legislation on the floor, had the opportunity to amend that legislation. Even if they are not major pieces of legislation, in many instances we have had the ability to amend it in just about any way we wanted. There was a statement that you have to do relevant amendments. Well, under the rules of the Senate, there is no such thing as relevant amendments. Everything is relevant. Irrelevant amendments are relevant because that is the way the Senate is structured. That is the way we work. If there is an issue of the time which a Member wants to bring forward to discuss and have voted on, the idea is the Senate will do that. Now, there is a procedure to cut off and go to relevant or germane amendments, but that procedure is a very formal procedure known as cloture and it takes 60 votes. That should not be done on a bill of this size until there has been adequate debate and a reasonable number of amendments considered.

I noticed that the Senator from Michigan, whom I greatly admire and enjoy working with, had a large chart today which talked about the fact that there have been 55 filibusters by the Republican Party since the Senate has convened. That is sort of like, as I have said on occasion, the fellow who shoots his parents throwing himself on the mercy of the court because he is suddenly saying he is an orphan. The simple fact is the only reason there have been 55 cloture motions filed around here is because the majority party has decided to try to shorten debate and shorten the amendment process at a rate that has never occurred before. Bills are brought to the floor and cloture is filed instantaneously. That never used to happen around here. It is not our party which has been trying to extend these debates; it is the other party which has been trying to essentially foreshorten the debates in an extremely artificial and premature way and limit the capacity of the minority to make its points and to raise the issues it considers to be important.

On almost every one of these bills—the 55 that are noted—agreement could have been reached, timeframes could have been agreed to, an amendment list could have been set, and we could have proceeded under regular order. But regular order was not allowed because the other side of the aisle wants to manage the Senate the way the House is managed: Where the majority party essentially does not allow the minority to offer amendments to the bills unless the majority party agrees to the amendments. Well, I can understand that in the House. There are 435 people there and it would be pretty much chaotic. But in the Senate, we are not designed that way. The whole purpose of this institution is to allow extensive discussion of legislation and amendments on legislation, whether the amendments are relevant or irrelevant.

So the process that is being put in place is harmful, in my opinion, to the fundamental institution of the Senate, when you have a majority leader who comes forward, immediately fills the tree, and then says the majority leader is not going to allow any amendments to the bill unless the amendments are accepted by the majority leader which, of course, on its face is a little absurd. Obviously, if we were all going to offer amendments that agreed with the majority leader, we would all be in the majority leader's party. That is why we have a two-party system. The idea is a two-party system. The one party sometimes disagrees with the other party and tries to make the points we feel are important to govern us. But the majority leader closes the floor down, says we have a permission slip process where you have to get his blue slip of approval before we can move forward, and then he files cloture on the bill after having not allowed any amendments to move forward. I think that does fundamental harm to the institution. It creates a precedent around here that may well be a slippery slope for us as an institution. I remember a couple of years ago there was a big debate about whether we should do cloture, or needed cloture, on the issue of Supreme Court judges. On our side of the aisle, because there was a lot of foot dragging about some of the Supreme Court judges who were being nominated, there were many who felt we should go forward and have a ruling of the Chair which says it only takes 51 votes; the Constitution does not allow filibusters against Supreme Court judges. Well, some on our side of the aisle felt that was a slippery slope, that that type of a procedural heavy-handedness by the majority would harm the institution and would lead to serious ramifications down the road when the parties changed governance.

This institution will not always have a Democratic majority. The facts are pretty obvious. We change around here. The American people like to have Government change. They like change. They get frustrated with the way things are going, so they make a change. There will be a Republican majority; I absolutely guarantee that. But the Democratic leadership, the majority leader, is in the process of setting a precedent, if he is successful, which will be extraordinarily harmful should a Republican majority take control and use that same precedent. So I think it is a huge mistake that this process has proceeded in this way and it is inconsistent with the facts on the ground.

The majority leader has said we can only have relevant amendments—relevant, ironically, as defined by the majority side. Well, history has shown us that is not the case. Even on farm bills—even on farm bills—especially on farm bills, amendments are brought forward which are irrelevant to the farm bill all the time. In fact, ironically, the majority leader has brought forward a number of those amendments. In 1996, for example, he offered an amendment to the farm bill regarding the importation of tea and the Board of Tea experts. In 1990, he offered an amendment to the bill regarding

testing consumer products containing hazardous and toxic substances. In the year 2000, he offered an amendment to the farm bill regarding the Social Security trust fund and tax policy. In the year 2000, the majority leader offered an amendment to the farm bill regarding pest management in schools. The manager of the bill, Senator HARKIN, in the year 2000, offered an amendment regarding fees on pesticide manufacturing. In the year 1985, he offered an amendment regarding the creation of additional bankruptcy judges in the State of Iowa.

I would argue that none of those amendments, under the most liberal interpretation of what is relevant, would be defined as relevant in a postcloture exercise and, therefore, by the actions of the majority, and specifically the majority leader and the chairman of the committee; they have set a precedent that even if it weren't the right of the membership of the Senate, they have set a precedent that amendments which are not—which are irrelevant to the underlying bill can be brought forward, and they should be brought forward.

For example, today the majority leader came down and made a very compelling statement relative to the dire straits that people are in who are having their mortgages foreclosed on because of this subprime meltdown we are having. It is serious. It is very serious. It is serious to those people especially, but it is also serious to the Nation as a whole because it is affecting the credit markets and it may be contracting the economy. I filed an amendment which would address that issue. Some farmers I suspect are caught up in this subprime foreclosure exercise, unfortunately. I bet there are some farm families who have been hit by this. I know there have been. So I think it is probably pretty relevant to these people who are farmers and, therefore, an argument could be made it is relevant to the bill. But I am not making that argument. I am saying that issue should be raised right now—we shouldn't wait—that the amendment I have offered which would essentially say that if your home is foreclosed on, you don't get hit with a tax bill for phantom income, which is what happens today. If you happen to be unfortunate enough to have your home foreclosed on, you get a tax bill from the IRS, even though you lost your home and even though you didn't get any income out of the foreclosure sale. That puts a little more pressure on the person who has had their home foreclosed on. That is a traumatic enough event, but to then have the IRS come after you, that is horrible. So this amendment would basically stop that practice. It would say to the IRS: No. You can't deem that as income.

There are going to be some farmers who are going to need that protection, and there are going to be a lot of Americans who are going to need that protection, unfortunately. So we should take that amendment up. I would be happy to offer that amendment right now, but if I offered it right now, it would be objected to under the proposal because the majority leader has deemed it is not relevant to the farm bill and, therefore, he is not going to allow it to be debated. I happen to think it is a pretty darned important amendment.

There are a couple of other amendments I have suggested. I have suggested 11 amendments to the bill. That is not outrageous. Some of them I think could probably be negotiated. I even suggested I would take 15 minutes of debate on them, 7½ minutes divided equally on each one of them. Unfortunately, the other side of the aisle rejected that idea—or they didn't formally object to it, but they told us we would want to talk a little bit more about some of these amendments. But the assistant majority leader on the Democratic side of the aisle came down to the floor and specifically called out a few of my amendments and said that they were the problem. They were the problem because they shouldn't be heard on this farm bill. He mentioned the mortgage amendment which we discussed.

He also mentioned an amendment which I happen to think is pretty darn relevant to this bill, especially to rural America and farm communities, which is that in most of rural America today, there is a crisis relative to the ability of baby doctors to practice their profession. It is virtually impossible, for example, in northern New Hampshire to see an OB/GYN unless you drive through the mountains and down to the southern or mid part of the State. That is true across this country, because OB/GYN doctors—baby doctors—people who deliver babies in rural communities can't generate enough income because the populations aren't large enough to pay the cost of their insurance against frivolous lawsuits or lawsuits generally. So I have suggested that for those doctors specifically, so we can get more of them into the rural communities delivering babies for all the people who live in the rural communities but obviously for farm families, that we give protection to them—protection which tracks—it is not outrageous protection—the California protection for doctors which occurs generally under California law so the cost of their premium for malpractice insurance will not drive them out of practicing and delivering babies in rural America and especially to farm families.

The Senator from Illinois said that was a frivolous—he didn't use the term ''frivolous''—he implied the amendment wasn't a good amendment; we shouldn't have to debate that amendment on this bill. Why not? Why not take up that amendment? Fifteen minutes I am willing to debate that amendment, 7½ minutes on both sides, and vote on it.

Well, it is not because it is not relevant and it is not because it shouldn't be taken up; it is because there are a number of Members on their side of the aisle who said we don't want to vote that issue. It is a hard vote. Why? Because it makes sense. That is why I think it is a hard vote. But there are other people on the other side of the aisle who simply don't want to have to cast that vote. It is not about the relevance of that amendment; it is about the desire to avoid casting a difficult vote. Well, you were sent here; you should make difficult votes on public policy that is important, and that happens to be a fairly significant point of public policy that is important, whether women in rural America can have adequate and prompt access to an OB/GYN. I think that is pretty darn important.

Then the assistant leader said an amendment I had on the list, my 11 amendments—a small number of amendments—was not appropriate because it dealt with the Gulf of Mexico. Well, this amendment says, as a follow-on to the Oceans Commission, which did a very large, extensive study of the status of the ocean and America's involvement and what we should be doing relative to the ocean, which was completed about 2 years ago and which was created, authorized, and funded as a result of an initiative by Senator Hollings from South Carolina, with my support as a member of the appropriations subcommittee that had jurisdiction over NOAA, and the conclusion of this Commission, which was filled with the best and most talented scientists and leaders we have on the issue of how the ocean was being impacted, was that the Gulf of Mexico is being uniquely impacted by fertilizer runoff from the Midwest coming down the Missouri, the Mississippi, and the other tributaries of the Mississippi and going into the Gulf of Mexico, and we are getting a dead zone there, a very significant dead zone because of the phosphates and I think the nitrates. The Commission called for action. It said: We have to do something as a country about this.

But what does this farm bill do? It expands dramatically the incentive to put more acreage into production, and I say: Fine. That is great. But it doesn't address the runoff issue, which is that additional production is going to occur, or the runoff issue that is occurring as a result of already existing production. So all this amendment does is say let's give NOAA the ability to go out and study this problem and see if they can come up—working with the Department of Agriculture—with some ideas on how we might be able to abate the harm we are doing as an unintended consequence of expanding our agricultural community, the harm we are doing to the Gulf of Mexico. But no, no, we can't take up that amendment. No, no. It doesn't get a blue slip, permission slip from the majority leader.

Then the fourth amendment which was mentioned or cited by the assistant leader as being something that was

problematic—and that is sort of a conservative description of the way he addressed the issues—was an amendment I have that says the firefighters should have the ability to pursue collective bargaining.

Now, maybe farms don't have fires. Maybe barns don't burn down and silos don't blow up. Maybe there weren't any wildfires in San Diego. Maybe I missed all that. But it seems to me that fire protection is a pretty big part of everybody's lifestyle in this country, and having fire departments that know what they are doing and are properly paid, have proper equipment and training is really important whether you happen to be in New York City or on a farm somewhere in the Midwest or the West. So I cannot imagine under what scenario it is deemed that this amendment should not be discussed and voted on.

Again, I am willing to do this for a briefer period of time. I am not trying to slow the bill down. I want to get a few issues up that I think are important to the definition of the problem as I see it in the farm region.

Then I had a series of amendments—well, I only had 11, but 5 of the amendments I had dealt with the budget process.

This farm bill does fundamental harm to the concept of responsible budgeting. It plays games with our budget process. We hear so much from the other side of the aisle about how they use pay-go to discipline spending around here. That is the term, the motherhood term we hear, ''pay-go.'' It turns out that it is ''Swiss cheese go'' as far as the other side of the aisle is concerned regarding spending restraint. On 15 different occasions, they have gimmicked pay-go, played games with it to the point where they have spent almost $143 billion in this Congress which should have been subject to pay-go but was not subject to a pay-go vote because they managed to gimmick their way around it.

This farm bill is a classic example of that procedure occurring again. By changing dates—1 day—so that they shift years and take items out of the pay-go—what is called the pay-go scorecard—they are able to avoid pay-go charges in this bill to the tune of $10 billion. That is not small change, by the way. We should have a pay-go vote on that $10 billion if we are going to maintain the integrity of the budget process. That is reasonable. I have asked for that vote.

In addition, they have created a new emergency fund—a $5 billion emergency fund. The way we have handled emergencies—and there are, I admit, many emergencies in farm country—is that we have always paid for those emergency costs through an emergency supplemental, whether it is because of a flood or if there is a drought or if there is a hurricane. We fund the costs after they have occurred, and we pay the costs of the emergency. What this would do is set up what amounts to a slush fund—what I am afraid will become basically walking-around money—of $5 billion and a floor so that we are going to be guaranteed that every year for the next 5 years at least a billion dollars will be spent on emergencies, whether there is an emergency or not. You know, if a large wind blows a mailbox over in North Dakota, it is going to be declared an emergency because somebody is going to want to get their hands on that billion dollars. That makes no sense from a budget standpoint. We know that human nature—especially legislative nature—will spend that money once it is allocated, and we should not do it up front, create a floor; we should do it the traditional way, which is to pay for emergencies when they occur. Now, some people here obviously disagree with me. I suspect I will not win that vote. But it doesn't mean we should not have a vote on that point of budget discipline and the importance of budget discipline.

In addition, on the budget issue, there is a $3 billion gimmick in here that is so creative it sets a new standard for creativity. There always has been movement of money from the discretionary side of the account to the mandatory side, and vice versa, to free up more spending. That is a game that has been played a long time, where an expenditure that is discretionary will suddenly find out it is being put under a mandatory account, so the money being spent in the discretionary account can be freed up to spend it on something else. If you get it into the mandatory accounts here, you basically put it on autopilot and don't have to worry about it ever again.

This bill takes this concept to a new dimension. It takes a mandatory spending responsibility and moves it over to a tax credit, so that we now have a $3 billion tax credit where we used to have a $3 billion mandatory expenditure, and then it takes the $3 billion that was being spent on the mandatory side of the account and spends it on a new program. So, essentially, by using the tax law in a very creative way, you have generated new spending of $3 billion. I think that is terrible budget policy. I think we should address it, debate it, talk about it on the floor, and definitely vote on it before we allow this bill to go to cloture.

Obviously, there are a lot of issues raised by this bill; otherwise, there would not be 240 amendments filed. The majority of them have been filed by the other side of the aisle. But the fact that the procedure has been structured in a way that these amendments, which are totally reasonable, which are parts of significant issues of public policy, such as whether women in rural America will be able to see an OB/GYN or whether farmers get the equipment they need or whether a person whose home is foreclosed on will get hit with an IRS tax penalty or whether the Gulf of Mexico should be looked at relative to maintaining its vitality as a environmentally sensitive area—we are not going to be allowed to look at all of these issues because the majority leader set up a blue-slip permission process, which is totally antithetical to the system the Senate historically works under and undermines the capacity of issues to be debated and voted on. I just think, as I said, it is doing fundamental harm to our institution. Even if I didn't want to bring these amendments forward, I would not want to have a process that denied the right of other people to bring amendments like them forward.

The fact that the leadership on the other side of the aisle wants to insulate its membership from making tough votes on things like baby doctors being available to farmers and farms getting the equipment they need and people whose homes are foreclosed on not being subject to IRS penalties—the fact that they want to protect their membership, that is understandable. That is their leadership. Their leadership is clearly trying to protect them in their jobs. To abuse the process of the Senate to accomplish that, to create a procedure where you basically foreclose amendments in a manner that actually is even more strict and more contracted than what the House does, does more harm than good to the institution. As I said earlier, it puts us on an unnecessary and inappropriate slippery slope, and it is a fundamental change in the way the Senate works.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

SENATE CHOICES

Mr. KENNEDY. Madam President, on tomorrow, we will be voting on several items. Two are going to be related to our policy on Iraq. Tonight, I wish to express my views on the choices that are before the Senate and the American people. I know later in the evening a number of colleagues will speak to this issue. I welcome the chance to now express my view.

Madam President, I oppose the minority leader's effort to provide a $70 billion blank check to President Bush for his failed Iraq policy. I will support legislation approved yesterday in the House of Representatives requiring the President to begin to bring our combat troops out of Iraq in 1 month and complete the withdrawal by December of next year. I hope the Senate will support it, and I hope President Bush will sign it into law.

Earlier this month, we reached another tragic milestone in Iraq. We have lost more Americans in Iraq this year than in any other year. It is another painful and somber reminder of the enormous price in precious lives the Iraq war continues to impose. It is long past time for the administration to change course and end the national nightmare the Iraq war has become. Our military has served nobly in Iraq and done everything we have asked them to do. But they are caught in a

continuing quagmire. They are policing a civil war and implementing a policy that is not worthy of their enormous sacrifice.

The best way to protect our troops and our national security is to put the Iraqis on notice that they need to take responsibility for their future so that we can bring our troops back home to America safely. As long as our military presence in Iraq is open-ended, Iraq's leaders are unlikely to make the essential compromises for a political solution.

The administration's misguided policy has put our troops in an untenable and unwinnable situation. They are being held hostage to Iraqi politics, in which sectarian leaders are unable or unwilling to make the difficult judgments needed to lift Iraq out of its downward spiral.

BG John F. Campbell, deputy commanding general of the 1st Cavalry Division in Iraq, spoke with clarity about the shortcomings of Iraq's political leaders. He said:

> The ministers, they don't get out. . . . They don't know what the hell is going on on the ground.

Army LTG Mark Fetter said that ''it is painful, very painful'' dealing with the obstructionism of Iraqi officials.

About conditions on the ground, Army MG Michael Barbero said:

> . . . it's not as good as it's being reported now.

All of these military deserve credit for their courage in speaking the truth. We should commend them for it. These are courageous, brave military speaking the truth.

Yet the President continues to promise that success is just around the corner. He continues to hold out hope that Iraq's leaders are willing and capable of making essential political compromises necessary for reconciliation.

The American people know we are spending hundreds of billions of dollars on a failed policy that is making America more vulnerable and putting our troops at greater risk. The toll is devastating. Nearly 4,000 American troops have died, tens of thousands of Iraqis have been killed or injured, and over 4 million more have been forced to flee their homes. Nearly a half trillion dollars has been spent fighting this war.

It is wrong for Congress to write a blank check to the President for this war. It is obvious that President Bush wants to drag this process out month after month so he can hand off his policy to the next President. It is time to put the brakes on this madness. It is up to us to halt the open-ended commitment of our troops that President Bush has been making year after year. We need to tell the Iraqis now that we intend to leave and leave soon. Only by doing so can we create the urgency that is so clearly necessary for them to end their differences.

We cannot allow the President to drag this process out any longer. This war is his responsibility, and it is his responsibility to do all he can to end it. It is wrong for him to pass the buck to his successor when he knows thousands more of the courageous members of the Armed Forces will be wounded or die because of it. Every day this misguided war goes on, our service men and women and their families continue to shoulder the burden and pay the price.

If this issue were only about the tragedies of the war, there would be reason enough to end it. But it has become about so much more. Now we are also starting to see the fallout at home as the President refuses to deliver the relief our families need.

Earlier this week, the President signed a Defense appropriations bill that includes a 10-percent increase in funding compared to last year, but he vetoed a bill that includes an increase half that big that would fund cancer research, investments in our schools, job training, and protection for our workers. That bill included $4.5 billion more than the President proposed for education. He said that $4.5 billion more for students is too much. Yet he has asked for 35 times that much more for the war in Iraq. He wants us to say yes to $158 billion for Iraq when he says no to $4.5 billion for American children.

In Iraq, anything goes. The sky is the limit. Billions and billions of dollars for Iraq. But here in America, right here at home, a modest investment in our school children gets a veto.

The bill included $3 billion to improve the quality of our teachers. Those funds would have been used to hire 30,000 more teachers, provide high-quality induction and mentoring for 100,000 beginning teachers, and provide high-quality professional development for an additional 200,000 teachers. One week of the failed policy in Iraq is the cost. We could do all of this for our teachers for the cost of a single week in Iraq, but the President says no.

The bill that he vetoed included $7 billion to provide high-quality early education through Head Start. Yesterday, the Senate approved a Head Start bill to strengthen the program and make Head Start even better. The bill goes a long way in strengthening the quality of the personnel, tying Head Start to kindergarten and other education programs in the States and consolidating all the various programs in the States that are available to children to make them more effective. Each of these improvements make an enormous difference in the lives of Head Start children. Funds the President vetoed would be used to build a basic foundation for learning that will help low-income and minority children for the rest of their lives. We can improve this foundation for the cost of a little more than 2 weeks in Iraq.

But even as we work in Congress to improve this vital program, the President says no. No, no, no to this program, no to the Head Start children. We are only reaching half of those who are eligible for the program at this time. We have over 4 million poor children under the age of 5 in the United States of America; we only reach 1 million of them. We all know what a difference early intervention makes for children in education. It is critically important for us to continue strengthening the academic programs, socio-emotional support, and health services delivered through Head Start and yet the President continues to say no.

The same misguided rationale applies to other investments in this bill. The President's choices cast aside urgently needed research on heart disease, diabetes, asthma, infectious disease, and mental health, and many other areas that could find cures and bring relief to millions of our fellow citizens.

This chart shows $4.9 billion in cancer research which would fund over 6,800 grants; diabetes research, pandemic flu, with all the dangers we are facing with the potential for a pandemic flu—that is necessary—support for the CDC, one of the prime health agencies to help protect Americans. It does such a good job in terms of immunizations and community health centers, which is a lifeline for 15 million of our fellow citizens, so many of whom have lost their health insurance. And the answer is no to those individuals.

It is true, in terms of American workers, the President rejects funding to enforce the labor laws that keep workers safe and to give them a level playing field. Instead, the President's veto takes bad employers off the hook and puts the safety and lives of American workers at risk. The President's choices are devastating to veterans as well. Listen to this, Mr. President. Each year nearly 320,000 brave servicemen return to civilian life, many coming from Iraq and Afghanistan. Tens of thousands—here is the chart. These are the returning veterans from Afghanistan and Iraq. Tens of thousands of reservists and National Guard have lost their benefits and even their jobs because they served their country. That is why the appropriations bill provided $228 million to help veterans find jobs, obtain training, and protect their right to return to former jobs. They are guaranteed now under existing law, but what is happening is that law is not being implemented. We found that three-quarters of returning veterans do not even know about their rights and, in many instances, they are losing their jobs, they are losing their overtime pay, and they are losing their pensions. That is why today one out of four homeless people in the United States is a former veteran. The bill we approved would help address this issue, but that was also vetoed.

The bill we will have a chance to vote on tomorrow in the Senate, which was approved by the House of Representatives yesterday, also takes an important step in reining in the Bush administration's use of torture. It is difficult to believe that in this day and age, Congress needs to legislate against the use of torture to prevent the President of the United States from abusing prisoners. Torture and cruel, inhuman, and

degrading treatment are already prohibited by law. Yet, once again, we must legislate, not because the conduct we would prohibit is somehow unlawful, but because the Bush administration continues to twist and distort existing law in its misguided, immoral interrogation practices.

The Nation was shocked by the horrible images from Abu Ghraib prison, and America was shamed in the eyes of the world. The administration tried to whitewash the episode by blaming it on low-level soldiers, but the truth about our use of torture couldn't be concealed. Led by President Bush, Vice President CHENEY, Secretary of Defense Rumsfeld, and Attorney General Gonzales, the administration had set a course that undermined fundamental American values in the craven belief that torture could somehow make us more secure.

Our interrogators were authorized to shackle prisoners in stress positions, induce hypothermia, and use sleep deprivation, extend isolation, bombardment with lights and loud music, and even now the infamous practice of waterboarding. The Justice Department's Office of Legal Counsel—listen to this, Mr. President—the Justice Department's Office of Legal Counsel gave its approval to the legality of these practices in the morally outrageous Bybee torture memorandum. The Bybee torture memorandum was in place for more than 2½ years until Mr. Gonzales appeared before the Judiciary Committee when he wanted to be the Attorney General of the United States. He could look over that committee and tell that if he had to defend that memorandum, he would never make it, and he was right.

What happened? The administration repealed the Bybee torture memorandum, and Mr. Gonzales got through the Judiciary Committee, although there were more than 40 votes in the Senate against his confirmation.

Under the Bybee memorandum, if the President approved the use of torture, no one could be prosecuted for breaking our Nation's laws or international obligations.

Do my colleagues understand? Under the Bybee memorandum, if you were going to prosecute an individual for using torture, you had to demonstrate a specific intent that the purpose of the torture in which you were involved was not to gain information but just to harm the individual. Unless a prosecutor would be able to demonstrate that the purpose of torturing an individual was not to gain information, you were effectively let off, free.

As the distinguished Dean of Yale Law School, Dr. Koh, said, it was the worst piece of legal reasoning he had seen in the history of studying laws in the United States and legal opinions.

The administration withdrew the Bybee memo in embarrassment when it became public. Indeed, the now-Attorney General Mukasey refused to denounce waterboarding as torture.

Only leaders who fail to understand the founding principles of America could approve such behavior. Our country needs to stand beyond reproach for the sanctity of each individual, for freedom, for justice, for the rule of law. But the administration turned its back on all these traditions and on the ideals of America itself.

In 2005, Congress passed the Detainee Treatment Act to ensure that all interrogations conducted by the Department of Defense would comply with the Army Field Manual, a comprehensive and effective approach to interrogation that prohibits the use of torture and cruel, inhuman, and degrading techniques in favor of techniques that are most likely to be effective in gaining necessary information.

LTG John Kimmons said, when releasing the manual:

> No good intelligence is going to come from abusive practices. I think history tells us that. I think the empirical evidence of the last five years, hard years, tells us that. The Manual itself tells us that the use of torture is not only illegal, but also it is a poor technique that yields unreliable results, may damage subsequent collection efforts, and can induce the source to say whatever he thinks the [interrogator] wants to hear.

Last May, General Petraeus echoed these statements in a letter to all our servicemembers in Iraq saying that ''torture and other expedient methods to obtain information'' are not only illegal and immoral, but also generally ''neither useful nor necessary.''

We now know, however, that the 2005 act left open a loophole that undermines the basic safeguards against torture and cruel and degrading treatment. We applied the field manual to the Department of Defense, but not to the CIA.

Last year in the Military Commissions Act, Congress left it to the President to define by Executive order the interrogation practices that would bind all Government interrogators, including the CIA. The President's Executive order drove a Mack truck through this small loophole. The vague terms of the order permit many of the most heinous interrogation practices.

The provisions of the bill we will have an opportunity of voting on tomorrow closed that loophole. They require that all U.S. interrogations, including those conducted by the CIA, conform to the Army Field Manual. This very simple and easily implemented reform means no more waterboarding, no more use of dogs or other extreme practices prohibited by the Manual. There will still be great flexibility in use of interrogation methods and our interrogators will be able to effectively get the required information, but torture will be off the table.

This bill is an opportunity to restate our commitment to the ideals and security of our Nation. It is an opportunity to repair the damage done to our reputation by the scandal of Abu Ghraib and the abuses of Guantanamo. It is an opportunity to restore our Nation as the beacon for human rights, fair treatment, and the rule of law. It is an opportunity to protect our brave service men and women, both in and out of uniform, from similar tactics. It is a simple but vital step in returning our Nation to the rule of law and the ideals on which America was founded, and it deserves to be enacted into law as soon as possible.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

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

SUBPRIME LENDING CRISIS

Mr. MARTINEZ. Mr. President, I wish to take a moment to express my strong support for modernization of the Federal Housing Administration. As you know, there is a serious financial issue affecting a lot of Americans. The subprime lending crisis is driving up foreclosure rates in Florida and across the country.

The problem is that from 2004 to 2006, financial institutions gave a lot of people mortgages they could not afford. These were low-interest, nothing-down, sometimes no-document loans that made the initial monthly payment very affordable. But because these were adjustable rate mortgages, a lot of people soon found themselves in a lot of financial trouble. After 24 months, or whenever the initial low downpayment period was over, the next market-driven rates set in and monthly mortgage payments climbed substantially.

Another factor compounding the problem, especially in places such as Florida, is that housing prices are stagnant or declining. So with no equity, higher monthly payments, and no chance to sell without taking a substantial loss, a lot of homeowners who have subprime loans are finding themselves in the perfect storm and, sadly, they are facing financial foreclosure.

Imagine the heartbreak of a family losing a home to foreclosure. About 2 million families in America are in that predicament today. This summer we saw the first wave of foreclosures, and because of the lag time between interest rate adjustments, we are likely to see another wave before too long. But the good news is that there is a strong public-private partnership offering help.

The Federal Housing Administration is offering certain homeowners an option to refinance their existing mortgages so they can make their payments and keep their homes. Additionally, FHA is coordinating a wide variety of groups that offer foreclosure counseling. This is to identify homeowners before they face hardships, help them to understand their financial options, and allow them to find a mortgage product that works for them.

I commend President Bush and Housing Secretary Alphonso Jackson for

stepping in to help with this difficult situation. I also commend the private institutions that are helping families avoid foreclosure. But where we need more action right now is right here in the Congress.

I am pleased we have put together a bipartisan FHA reform bill that will lower downpayment requirements, allow FHA to insure bigger loans, and give FHA more pricing flexibility. These reforms will empower FHA to reach more families that need help. It would also help first-time home buyers, minorities, and those with low to moderate incomes.

Over the past 72 years, FHA has been a mortgage industry leader, helping more than 34 million Americans become homeowners at no cost to the taxpayer. With this legislation, we build an even better program that complements conventional mortgage products and allows FHA to continue to serve hard-working and creditworthy Americans.

I commend Senators DODD and SHELBY for their leadership on this issue in the Banking Committee. The legislation we have before us is the result of a lot of time and dedication from members of that Senate Banking Committee. It isn't an easy process to get legislation through this committee, but it is a fair one. With this legislation, we have the opportunity to use the resources of the Federal Government in a reasonable and responsible manner in order to mitigate against future home losses.

As former Secretary of Housing and Urban Development, I know this program well, and I would ask my colleagues who may have questions or concerns with this legislation to talk to me about it. I would love to tell you why this is a good idea for America.

I would also add that Senators DODD and SHELBY and I have worked hand in hand with the administration throughout this process, and that this legislation that was reported from the Banking Committee—and, as I said, has bipartisan support—also enjoys the support of the President and the Department of Housing and Urban Development. In fact, I have a letter from Secretary Jackson to Chairman DODD and Ranking Member SHELBY dated September 19 expressing enthusiastic support for the bill.

This is a bill that will help families. At a time when America seems to be looking to Congress for answers on issues from energy to the crisis that is going on with the foreclosure problem, to so many other issues, here is a time when we can come together and get something done that is good for the American people.

To make the argument this legislation has not been given due deliberation is both unfair and unfounded. FHA reform is an issue that has been debated here in Congress for many years. In fact, I know we debated this issue here when I was Secretary of Housing and Urban Development.

The Banking Committee has had hearings and Members have been an active part of the process. At the markup in September, members voted 21 to 1 in favor of reporting the legislation from committee. I believe the one Senator who did object in committee now supports the legislation.

So, again, I ask my colleagues to take a good look at the merits of this legislation and support our efforts to provide hard-working, creditworthy Americans with an avenue to safe, sound, and affordable mortgage lending.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

TRIBUTE TO SENATOR BYRD

Mr. STEVENS. Mr. President, I come to the floor to honor the President pro tempore, our great friend, the senior Senator from West Virginia. Senator BYRD will celebrate his 90th birthday next Tuesday. In Alaska, we call this a significant milepost. Milestones in Alaska get covered with snow too often.

I remember watching from the gallery in 1959 when Senator BYRD took office. I was a member of the Eisenhower administration at the time. He had been here for nearly a decade by the time I came to the Senate in 1968. Senator BYRD and I have worked together on the Appropriations Committee now for 36 years. We have each chaired that committee and we have each had the honor of becoming the President pro tempore. He has been President pro tempore twice.

Senator BYRD has been called a symbol of our history, and those of us who served with him, and continue to serve with him, rely on his knowledge of the Senate and its history and traditions. I wish I had the time to go into some of the times I have listened to Senator BYRD recite poems or history, or tell of his times of researching the history of the Roman Senate. I served as the whip here for 8 years when Senator BYRD was giving his history lessons, and it was my honor to sit here and listen to those history lessons, and I learned a great deal from him.

His devotion to the Senate and to those of us who serve with him are reasons for us to call him the patriarch of the Senate family. I know of no one who has done so much to keep the spirit of the family alive in the Senate. Over the years, Senator BYRD has come to the floor many times to honor me personally and to honor my family. He comforted me here on the floor when my wife Ann passed away. He comforted me in times of sorrow; he comforted me in times of joy.

He came to me on the day I first became a grandfather. And I will never forget that, because he gave a speech about the meaning of becoming a grandfather, and he told me I had my first taste of immortality because I was a grandfather. Those words have stayed with me for a long time. I now have 11 grandchildren, but I will never forget that speech about the first one.

I also remember the kind remarks he has made to me on many other occasions. He came to the floor and offered congratulations of the Senate when I remarried, and he came again when Catherine and I had our first daughter, our only child, Lilly. Earlier this year, he came to the floor to congratulate Lilly on her graduation from law school. And with Lilly, I remember when she was young and a baby, and I was the whip, we had a birthday party for Lilly every year here, and Senator BYRD never missed one of those. He became Uncle Robert to Lilly. He has had a marvelous relationship with the children of Senators who have served with him.

The nurturing and caring quality that Senator BYRD has brought to this Chamber for so many years reminds us we are a family. We had the sad occasion to gather with him and support him when he lost his beloved wife. But I have come here today to congratulate the Senator from West Virginia not only for his service to our Nation and to the Senate, but for his longevity. He is the only Senator who is older than I am, and I thank him for his friendship and for all he has done for me and my family personally.

Catherine and I wish him a very happy birthday, and we hope the Senate will join in extending to the President pro tempore our sincere congratulations on his birthday.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

NATIONAL ADOPTION DAY

Ms. LANDRIEU. Mr. President, I appreciate the opportunity to be recognized to speak for a moment with my colleague Senator COLEMAN on National Adoption Day, which is this Saturday.

Before I do that, let me thank the Senator from Alaska, the senior Senator, for his beautiful remarks relative to our other colleague from West Virginia, a man whom we have all come to know and love and respect for his years and quality of service to this body and to our country. Many of us will have other words to say on behalf of Senator BYRD on his birthday, which is coming up very soon.

I wanted to come to the floor with my colleague from Minnesota to speak about a very important issue that we try to remember and reflect on through the whole month of November, but particularly on National Adoption Day on November 17. I also wanted to take this opportunity to remind ourselves of the importance of family and the laws we try to pass here in Congress to encourage families to be strengthened and expanded through the miracle of adoption.

Many Members of Congress, including myself, are adoptive parents. We have personally experienced the joy of building our families through adoption. We are proud promoters of this practice that is not uniquely American, but is embraced by Americans in a way

that it is not embraced in most countries in the world. And we are proud of that. In America, we like to believe it is not the color of our skin or even being from the same part of the world that makes a family. It is a bond, a love that can be shared between people and families and children, even if those children are of a different race or a different background. It is a very unique aspect of America that is quite open and quite extraordinary.

In America, we adopt many children, thousands of children. Over the last decade, the numbers have increased every year, in good measure due to the work that has been done in the United States, right here in Congress.

Let me back up a minute to say that, obviously, our ultimate hope and wish is that all children could stay with their birth families. In an ideal world, you would want all children born in every country, every day and every year, to be able to be born into families who want them, can care for them, can nurture them, and will stay whole and permanent. But we know in the reality of the world in which we live, that is not possible. War, famine, disease, addiction, violence, and gross neglect separate families, separate children from their birth parents every day.

I think it is one of our primary responsibilities as responsible, functioning governments, particularly democracies, to do what we can to connect those children who are separated from that special bond with a birth parent to another nurturing, loving adult as quickly as possible. It would seem that the most natural thing in the world is to understand that a child without a parent is very vulnerable. Even children with parents who are educated and able to navigate through life still have great challenges. So, you can imagine the vulnerability of children with no parents to protect them, alone to raise themselves. Children don't do that very well. And governments don't raise children. Human beings—parents—do. So we need to do our best.

We are working at it, but we have a long way to go. That is why every November, our Presidents, President Clinton, and before him President Bush, take a minute, as our current President will tomorrow at the White House, to acknowledge that November in America is National Adoption Month. We focus the attention of our country on our efforts and we congratulate ourselves on our progress, but there is still a gap. We have 514,000 children who have been removed from their birth families and placed in the care of the community, in foster care. Today, over 115,000 of these children are waiting to be adopted, and the majority of their parents already have had their parental rights terminated. These children are waiting to be placed in a permanent family through adoption, whether kinship or regular, or long-term guardianship.

So I come to the floor today to recognize some of these children who are waiting today, and to say that while we are making progress, we have some beautiful children who are still waiting to be adopted. There are many misconceptions about some of the children who are in our public child welfare and foster care systems. The survey recently conducted by the Dave Thomas Foundation for Adoption indicated that the majority of Americans mistakenly believe that many of the children in foster care are ''juvenile delinquents.'' According to the survey, an unbelievable number of Americans, have thought about adopting a child from foster care, but because of their misperception that there is something wrong with these children, that they are damaged goods, they back up or they back away.

The facts will show that it is not the children who are in foster care who are delinquent. It was a problem from the parental end; that the parents somehow failed to step up or were unable to step up. These children are not damaged goods. They are doing beautifully in school. Many grow up to be quite successful, but they, like all children, need parents and protection.

This is a young girl, Natalyia, who is 8 years old. She has been in foster care since 2001 and is one of the children in Louisiana who is waiting to be adopted.

This is two siblings. Sometimes a child is an only child and sometimes a child has brothers and sisters. I am one of nine children. I know, Mr. President, you came from a fairly large family. Sometimes the unfortunate thing is that parents walk away, or disease or violence separates them from groups of children.

These are two young boys, Terron and Montrell, who are about 7 and 8 years old. They are in foster care in Louisiana, looking for parents here in the United States.

This is two other brothers who have been in foster care for a while. Their names are Ronnie and Kody. They are 11 and 13 years old, also looking for a family here in the United States.

We have thousands and thousands of children of all ages in the United States looking for families. We have millions of orphans around the world. As I said, there are tens of thousands of children right here in the United States who are waiting to be adopted. I am proud of the laws we have tried to pass here on the floor of the Senate, giving appropriate tax credits and providing other opportunities for children to move into loving and permanent families.

I think our time is limited. I don't want to take any more time, but I ask unanimous consent to allow the Senator from Minnesota to finish up our talk here on the Senate floor, to acknowledge National Adoption Day and National Adoption Month, and then turn to the leadership, if I could.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Minnesota.

Mr. REID. Mr. President, I am wondering if my friend from Minnesota will be kind enough to allow the two leaders to engage in a little work here on the floor? As soon as we finish, he would retain the floor.

Mr. COLEMAN. Mr. President, I graciously yield the floor to the two leaders.

Mr. REID. My friend is gracious in everything he does. I appreciate that so much.

CONDITIONAL RECESS OR ADJOURNMENT OF THE TWO HOUSES OF CONGRESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to H. Con. Res. 259, the adjournment resolution.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 259) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. McCONNELL. Mr. President, reserving the right to object, could the majority leader tell me what the schedule is likely to be for tomorrow?

Mr. REID. Yes. We will do a unanimous consent request in a minute for your approval or disapproval. What we are going to do is come in in the morning. I want to come in early because of requests from both your side and my side that we vote first on an Iraq matter that the minority has brought to the floor; then we would vote on a motion to proceed to the bridge bill that the House voted on last night; and then we would vote on the motion to invoke cloture on the farm bill. At that time, hopefully, we would be ready to wind things down until after Thanksgiving.

The ACTING PRESIDENT pro tempore. Is there objection?

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

Mr. REID. I ask unanimous consent the current resolution be agreed to and the motion be laid upon the table.

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

The concurrent resolution (H. Con. Res. 259) was considered and agreed to.

The concurrent resolution reads as follows:

H. CON. RES. 259

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, November 15, 2007, or Friday, November 16, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, December 4, 2007, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, November 15, 2007, through Thursday, November 29, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday,

December 3, 2007, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly 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, or their respective designees, 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 if, in their opinion, the public interest shall warrant it.

ORDERS FOR TOMORROW

Mr. REID. Mr. President, I ask unanimous consent that the Senate vote at 9:30 a.m. tomorrow on the cloture motion on the motion to proceed to S. 2340, the Senate Iraq Emergency Supplemental Appropriations bill; if cloture is not invoked, the Senate then vote on cloture on the motion to proceed to H.R. 4156, the Orderly and Responsible Iraq Redeployment Appropriations bill; if that cloture is not invoked, the Senate then vote on cloture on the substitute amendment to the farm bill; I further ask unanimous consent that the cloture vote on H.R. 2419, the underlying bill, be delayed to occur, if needed, upon the adoption of the substitute amendment; I further ask unanimous consent that the time for debate prior to the first vote be equally divided between the two leaders or their designees; that the last 10 minutes be reserved for the two leaders, with the majority controlling the last 5 minutes; and that there be 2 minutes for debate before the second and third votes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. I say to my friend, it is my intention to come in in the morning at 8:30. That would allow any Senators who wish to talk about the farm bill and Iraq to do that tonight and in the morning we have a few speakers and you would have some speakers, and that should conclude the events tomorrow. I think we need to come in early because we have had a number of requests, as you know.

I do say this, I appreciate the understanding of my friends on the other side. As they know, there is a debate tonight of all Democratic Presidential candidates, and they needed to be here in the morning. That is required. They probably needed the time anyway, but I couldn't push forward on that tonight, especially with the debate starting in 2 hours in Las Vegas.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, let me say a couple of things before the distinguished Republican leader leaves. We had a brief conversation here in the well of the Senate a couple of minutes ago. I am disappointed we cannot proceed to the Transportation appropriations bill. The President tells us he wants bills. We do everything we can, and it is difficult to get them done, but we have now completed an extremely difficult conference. It has been open. Republicans have participated. I am not going to go into the details of the bill, but it is a transportation bill. It deals with such important parts of America's infrastructure which are so desperately needed.

I hope, I say to my friend, that maybe before we leave here tomorrow there will be another thought given to this. It would be nice if we could send this bill to the President and do it before we leave here for recess. Senator BOND and Senator MURRAY on our side, the managers of this bill, have worked very hard trying to get everything done. They worked today. We got a hold on it here taken off. Somebody objected here. We took that off. I am so grateful for their hard work, their bipartisan work on this legislation.

I do say this, Senator BOND, who has been one of the members of the Appropriations Committee for some time, has been pretty easy to work with over the years. He has been very reasonable. Senator MURRAY told me he has been extremely reasonable during this most difficult bill. I am not going to ask unanimous consent to go forward on it. I have been told by my friend, the distinguished Senator from Kentucky, there would be an objection. I do feel sorry we have not been able to do that.

Finally, I will say a few words on an important issue, breast cancer and environmental research. I indicated earlier this year I was going to move forward, if necessary, on cloture. There is one Republican Senator who has held up this extremely important bill. This legislation would authorize money for 5 years to study the possible links between the development of breast cancer and environment. One key provision in the legislation would create an advisory panel to make recommendations about these grants.

Over the past 6 years, this bill has enjoyed very broad, bipartisan support. During the 109th Congress, this bill was reported out of the HELP Committee, but one Senator on the other side, one Republican, objected to our request to pass it.

I am bound and determined to pass this legislation. Why I have not moved on it earlier is the following reason: We have gotten great work on a bipartisan basis out of the HELP Committee. Senators KENNEDY and ENZI—one would not think they are political soulmates, but they are. They balance each other out. Senator ENZI confided in me—I don't necessarily mean confided in me, but he told me that he was going to have a hearing on this very soon, before the first of the year, to see if he could work out the problems the one Senator had. If that in fact is the case, this matter could be brought out of the committee to the floor and passed very quickly rather than my taking a week or so on the legislation. So I want all those who are so concerned about this legislation to know I have not forgotten about it, but based on Senator ENZI's representations, I am not going to try to invoke cloture on this bill at this time. If we do not get something done during the first few months of the next year, we will do that. Hopefully we can pass it in December.

Mrs. MURRAY. Mr. President, could the majority leader yield for a question?

Mr. REID. I am happy to yield for a question.

Mrs. MURRAY. Mr. President, I am listening carefully to what you said. I am here on the floor working very hard trying to get the Transportation and Housing bill to the President, as he has asked us to do. We worked together in a strong bipartisan way. All of the Republicans and all the Democrats in both the House and Senate signed the conference committee report. This is critical infrastructure. I note the Senator from Minnesota is on the floor. He had a bridge collapse in his State. We have had a housing crisis we addressed within this bill. We know airport expansion is a critical infrastructure piece. I see the Senator from Louisiana is on the floor. There is very important infrastructure there.

If I heard the Senator correctly, we are not going to be able to move forward on this critical piece of legislation that only has one hurdle left to get to the White House. If I could, in effect, clarify it, my understanding is there is an objection and we will not be able to move it past the final hurdle?

Mr. REID. I answer to my friend who has done such an outstanding job on this bill, as she does on everything, this bill did have in it $195 million to replace I–35 West, the bridge in Minneapolis. We all witnessed the tragedy of the collapse of that bridge. A picture is worth 1,000 words so I will not give 1,000 words, other than to say I ask everyone to call up in their mind's eye the devastation that took place when that bridge unexpectedly collapsed. The bill also, I say, includes an additional $1 billion for urgent bridge repairs in all States in the wake of that tragedy. That is only a small part of that legislation and it is unfortunate we couldn't send that to the President before the recess. We still could, maybe when we get back in the morning, and we could do it before we leave here. That is still possible.

Mrs. MURRAY. I say to the majority leader, I thank him for trying to move forward. I hope our minority leader will work with his caucus to try to help us move this forward. It is critical infrastructure that thousands of communities are counting on this week, heading for a jampacked Thanksgiving holiday. Everyone is going to realize the impact of not investing in our infrastructure. I hope we can continue to try to work something out.

I thank the majority leader.

UNANIMOUS CONSENT REQUEST—H.R. 3996

Mr. REID. I ask unanimous consent that the majority leader, after consultation with the Republican leader, may turn to the consideration of H.R.

3996, the Tax Extender/AMT bill, and that it be considered under the following limitations: that there be 2 hours of debate equally divided between Senators BAUCUS and GRASSLEY or their designees prior to a cloture vote on the bill; if cloture is invoked, there be no amendments in order to the bill; if cloture is defeated, there then be 1 hour for debate on Senator LOTT's amendment No. 3620, providing for AMT repeal and 1-year extension of expiring tax provisions; that following that vote there be 1 hour for debate on Senator BAUCUS's amendment providing for a 1-year AMT patch and a 2-year extension of expiring tax provisions with the cost of the expiring tax provisions offset; that each amendment vote would require 60 votes in the affirmative; that following those votes, if an amendment is agreed to, the bill be read a third time and the Senate vote immediately, without any intervening action or debate, on final passage of the bill. If neither amendment achieves 60 votes and cloture is not invoked on the bill, then the bill be returned to the calendar; if cloture is invoked on the bill, then the Senate proceed to complete action on the bill under the provisions of rule XXII.

Mr. MCCONNELL. Reserving the right to object.

Ms. LANDRIEU. Reserving the right to object.

Mr. MCCONNELL. I know Senators GRASSLEY and BAUCUS are here to discuss this issue. I believe the majority leader knows I am going to be offering another alternative consent agreement to his here momentarily. I ask we both be allowed to do our respective consent agreements and then let others discuss the AMT.

Bearing that in mind, Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MCCONNELL. Mr. President, Senate Republicans have time and time again voted to reform and repeal the alternative minimum tax, a stealth tax that was promulgated in 1969 to ensure some 155 wealthy Americans paid at least some level of Federal tax but which today threatens to entrap more than 20 million American taxpayers this year alone.

I know the majority leader shares my desire to fix the alternative minimum tax and to extend other expiring tax provisions later this year. In fact, as the IRS has told us, the inexplicable inaction at this point has already the potential to wreak havoc on the tax-filing season. I have been encouraging my colleagues on the other side of the aisle to work with us to do this for quite some time.

So both my friend, the majority leader, and I know this is an issue that must be addressed. That is common ground, and that is good. But let's be clear. Republicans want to extend the alternative minimum tax patch and expiring tax provisions without increasing taxes on other Americans. Furthermore, we want to protect 90 million American taxpayers, including small business owners, from a massive tax increase that will soon take effect if Congress does not act to extend rate reductions contained in the tax relief measures we passed in 2001 and 2003.

I would suggest that there are fundamental differences of opinion between the two parties on tax policy. This is not a surprise; we all know this. And it is a debate we have been having for years. But on this there is much we can agree on. Let's begin with a base bill that accomplishes what is noncontroversial, what we mutually agree upon; that is, extending the AMT patch for 1 year and extending expiring tax provisions for 2 years.

In view of the differences between the parties on tax increases, let's allow two amendments per side to be in order, each of our own choosing. I can tell you now that our amendments will be focused on ensuring tens of millions of Americans do not face tax increases. While I would not presume to tell my friend, the majority leader, what amendments his side should offer, I would suggest it would be an excellent opportunity for him to offer the tax increases that are included in the Baucus proposal and the Rangel AMT bill as passed by the House as the other. Since we object to the majority's efforts to increase taxes, as they apparently will object to our efforts to extend tax relief, let's require that all amendments be subjected to a 60-vote hurdle.

In summary, I propose we start with common ground and say controversial pay-fors and add-ons must get 60 votes.

Therefore, I ask unanimous consent that the majority leader, with the concurrence of the Republican leader, may turn to the consideration of H.R. 3996; provided further that there then be a substitute amendment in order, the text of which is the 1-year alternative minimum tax fix with a 2-year extenders package without the tax-raising offsets; I further ask unanimous consent that each side be allocated four tax-related amendments to be offered to the substitute, and that each amendment under this order and passage of the underlying bill require 60 votes for adoption or passage as the case may be.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, during the past 7 years, we have had an interesting financial program in this country led by President Bush; that is, spend whatever you want, just use a credit card. That is, he wants new programs. He has had plenty. Just write out one of the IOUs that came from the credit card. Or if you want to reduce taxes, do not pay for it, just call for the credit card, which it seems the limit on that never runs out, just more and more.

When this man, this man, President Bush, took office, there was a $7 trillion surplus over 10 years. Now there is a deficit of $9 trillion. That is what the Bush fiscal policy has done to this country.

We in this Democratic-controlled Congress believe things should be paid for. We have done that working with the House on everything. We believe we are going to do our very best to do it on this legislation.

But I would suggest to my friend that one of the requests I had is that we vote on—have every opportunity to vote on—what the House sent us.

But without belaboring the point, I think we have two different ways of how this Government should run. One should be on a pay-go basis. If you want to increase spending, you pay for it. If you want to cut taxes, pay for that. For 7 years the Republicans have not agreed with that. As a result of that, we find ourselves in a difficult situation. So I respectfully object to my friend's request.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I regret that the Republican side has objected to the request offered by the majority leader. But I am very pleased, frankly, with the objection by the majority leader to the minority leader.

The ACTING PRESIDENT pro tempore. If the Senator from Montana would suspend for just a moment.

Under the previous order, the Senator from Louisiana and the Senator from Minnesota had the floor for a few minutes before the leadership.

Mr. BAUCUS. Mr. President, if I might ask my colleagues to indulge me a little because this is an important subject on the issue at hand. I ask their indulgence for 5 minutes.

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

Mr. BAUCUS. I thank my friends. Mr. President, the goal is to try to fix the alternative minimum tax and to try to get these tax extenders passed. The goal is not to relitigate the 2001 and 2003 tax cuts, which I think would be the subject of the amendments that the minority side would offer if their consent requests were granted. We are not here to relitigate that; we are here to figure out some way to make sure this Congress allows the alternative minimum tax patch to pass so Americans do not have to pay an alternative minimum tax for tax year 2007, which is the goal.

I am very disappointed, frankly, that we are not allowed to get to that point because the other side objected to the request offered by the majority leader to set up a series of votes which would enable us to get to that point—namely, where this body could pass the legislation, probably an amendment by Senator GRASSLEY and myself—which would accomplish most of the objectives by the other side; namely, dealing with the alternative minimum tax, not paid for, but pay for the extenders.

That would have been the third vote if we were to get there; that is, if the

minority party allowed us to get there. But, apparently, they do not care about that. Apparently, they do not care about the alternative minimum tax. Apparently, they want to relitigate the 2001 tax cuts, the 2003 tax cuts, to have it extended with mischievous amendments.

I remind my colleagues we are here today because back in 1969, Congress passed the alternative minimum tax because so many wealthy taxpayers were not paying any taxes. So we passed AMT. But we made a mistake, frankly; we did not index it. And lo and behold, after all of these years, now taxpayers between $100,000, $200,000, $300,000 of income, many of them are going to have to pay the alternative minimum tax very soon.

But, ironically, it is the most wealthy taxpayers in America who are not affected by the alternative minimum tax. It does not hit them. It does not affect them. It does not affect the most wealthy. It just affects those with incomes between, say, $100,000 and $200,000 in income.

Why does it not affect the most wealthy? Because on the alternative minimum tax, the capital gains rates are not the alternative minimum tax rates, rather the capital gains rates under the AMT are the regular capital gains rates, and most wealthy people get most of their income paying capital gains taxes because their income is passive rather than ordinary income.

So it is a bad provision, the AMT, and we have to fix it. And mark my words, we are going to try to find a way to fix it because it has to be fixed. I am very disappointed, frankly, that the other side would not let us fix it now. It is important we fix it now because the IRS is going to send out forms. The programmers who do the programming for the Tax Code, for the tax provisions in the Tax Code, have to get the right programs out to the American people.

If we dally, if we wait—it looks as if now we are going to wait until certainly after Thanksgiving. It looks as if probably we have to wait to the end of the year. Who knows when? Maybe the day before Christmas. That is not the way to do business. So we will find a time. We can bring up legislation to make sure there is a so-called AMT patch, that we do not have AMT affect taxpayers for this year. And we also have to bring up these so-called extender provisions.

I think we should pay for those extenders. But we may not be paying for the AMT, and that was going to be the third amendment that was going to be offered today so we can get moving. But I guess that is going to come up another day. I am very disappointed we are not there.

Mr. President, the journalist Norman Cousins once said: ''Wisdom consists of the anticipation of consequences.''

By this or any measure, the alternative minimum tax is the most unwise of policy. Congress plainly did not anticipate the AMT's consequences. And the wise course now is plainly to stop it from increasing the taxes of millions of Americans.

The Tax Reform Act of 1969 created the AMT. Congress saw that under the tax code of that time, 155 high-income households took advantage of so many tax benefits that they owed little or no income tax. So Congress responded with the AMT.

But Congress did not anticipate the consequences. Notably, Congress failed to index the AMT for inflation. And now an increasing number of middle-income Americans are finding themselves subject to this tax.

Now, the AMT punishes people for having children. The AMT punishes people for paying high State taxes. And the AMT punishes people with complexity.

And many taxpayers who owe the AMT do not realize it until they prepare their returns. Worse yet, many do not realize it until they get a letter from the IRS. Many never see it coming.

Listen to what the Congressional Budget Office has reported:

> [I]f nothing is changed, one in five taxpayers will have AMT liability and nearly every married taxpayer with income between $100,000 and $500,000 will owe the alternative tax.

But oddly enough, the AMT would have less effect on households higher up the income scale. Surely these are not the consequences that Congress intended.

Protecting working families from the alternative minimum tax is my top tax priority this year. And it remains my goal to repeal AMT altogether.

We could do something about it, today. We have a chance to anticipate the consequences, today. We could enact wiser policy, today.

Last week, the House passed the bill that was the subject of the unanimous consent request that the Leader just made. It would protect more than 23 million families from a tax increase this year under the AMT. It would extend a number of important tax cuts for research, college expenses, and other priorities. And it is paid for. It is fiscally responsible.

Under the unanimous consent agreement just propounded, the Senate could have acted. If we had agreed to this unanimous consent request, we could have prevented the AMT from wielding its unintended consequences 1 more year.

I'm disappointed that the Senate did not consent to consider this bill today. But I am not sorry for choosing to protect taxpayers from the AMT, even at some cost. Too many folks are at risk of an unfair tax increase, if Congress fails to act on the AMT.

Provisions like the college tuition deduction, State and local sales tax relief, and the research and development tax credit are also in this bill. Those provisions make a real difference for America's families and businesses. I am disappointed that we were not able to extend these expiring provisions. People deserve greater certainty about their tax relief.

Now I don't support all of the provisions in the House bill. I would not have written it this way. There are certain targeted provisions that are not strictly extenders that I would not have put in the bill. There are some offsets that I would not have used or that I would write differently.

But I do support tax relief. And I support fiscal responsibility. And this was our chance to both ensure tax relief for 23 million Americans and also to avoid saddling our children and grandchildren with debt.

Mr. President, many of my colleagues have insisted that we pay for extending the Children's Health Insurance Program. Many have insisted that we pay for extending the farm bill. And many have insisted that we pay for preventing cuts to doctors under Medicare.

Well, if paying-as-you-go is good enough for children's health, if it is good enough for America's farmers, and if it is good enough for Medicare, then it ought to be good enough for tax cuts, too.

So I regret that there has been objection to considering the House-passed AMT bill. I regret that those who are objecting have prevented us from saving 23 million Americans from the unintended consequences of the AMT. And I regret that those who are objecting have prevented us from moving forward to enact wiser tax policy.

NATIONAL ADOPTION DAY

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I take the opportunity to turn this body to the attention of a matter that has bipartisan support that will bring us together. There are some very contentious and challenging issues that we have to deal with, but what I am going to talk about now in the moments I have is something that is not a Democratic or Republican issue. It is an issue that concerns all of us.

It was the poet Carl Sandburg who said: Each young child is God's opinion that the world should go on. In our busyness and preoccupation that we have with the affairs of state, we should remember there is probably nothing more important to the future than making life better for a child, something we all agree with.

I am talking on the floor today to share a simple way we can all do that in the Senate and in the country. I am pleased to have the opportunity to join my colleague from Louisiana, Senator LANDRIEU, in supporting a resolution to recognize National Adoption Day, which is coming up this Saturday, November 17.

I would say my colleague from Louisiana brings not only the passion and the intellect to this issue, but she brings a lot of heart to the issue. And I think that is most powerful. I applaud her for her leadership. It is a

pleasure to work with her on issues of adoption.

National Adoption Day is an annual series of events designed to draw attention to this crucially important social service of uniting kids who need loving families and families who need kids to share their love. Adoption is one of the greatest win-wins because it fulfills two of the greatest needs of human kind: receiving and giving love. Adoption, since it involves the welfare of the vulnerable children, is a process that must be handled with care. The challenge is not to make it so legalistic and bureaucratically demanding that it keeps needy kids apart from worthy families.

Many legal professionals and nonprofit agencies put in countless hours to facilitate adoption. This is a day to thank them for their efforts and focus our attention as a society on what we can do to create greater opportunities for adoption.

Last year, for the first time, National Adoption Day was celebrated in all 50 States, the District of Columbia, and Puerto Rico. In total, more than 300 events were held throughout the country to finalize the adoptions of more than 3,300 children in foster care and to celebrate all families that adopt.

This year, the partners are anticipating an even greater number of finalized adoptions as a greater number of cities and communities participate in NAD events.

This Saturday, hundreds of volunteer lawyers, foster care professionals, child advocates, and local judges will come together to celebrate adoptions and to draw much needed attention to the 114,000 children in foster care still in need of adoptive homes.

I am thankful my friend from Louisiana showed us the faces of those kids so we understand it is flesh and blood that we are dealing with.

I would like to encourage my colleagues in this Chamber to invest more of their time and effort into this special area of constituent service throughout the year. Each December, my staff and I hold a party in Minnesota to gather and celebrate all of the families, Minnesota families, that we have assisted in adoption. It is the most joyous event that I participate in. The expressions of love and gratitude are simply overwhelming.

One by one, as I see the kids and imagine the circumstances they have come out of to the place where they have found a home, it makes all of the frustrating and seemingly futile hours of this job just melt away.

I also thank my colleagues for their support earlier this year in a provision that Senator LANDRIEU and I championed to ensure adopted teenagers who seek an education were not forced to choose between a loving family and financial aid for college. Previously, youth who ''aged out'' of the foster care system qualified for virtually all loans and grants, while those who were adopted were essentially penalized in terms of college financial aid eligibility. Our measure simply amended the definition of ''independent student'' to include foster care youth who were adopted after their 13th birthday. This will ensure that a student does not see his or her financial aid eligibility decline as a result of being adopted.

Since taking office, I have taken great satisfaction in helping hundreds of families navigate the international adoption process. Many of my colleagues are aware of the potential crisis relating to the completion of over 3,000 adoptions between the United States and Guatemala.

Due to the implementation of the Hague Convention on Intercountry Adoption, which is an internal agreement intended to safeguard adopted children from trafficking, significant and necessary changes are taking place in adoption law in the United States and Guatemala.

The Government of Guatemala previously announced their nation will implement The Hague Convention standards as of January 1, 2008, and will require all adoption cases to meet those standards. This would have effectively stopped the processing of all adoption cases with non-Hague countries, including the United States. The United States is expected to complete Hague implementation this spring. However, in the meantime, it is imperative we work to ensure that families currently in the process of adopting have the ability to continue with that adoption. To highlight these concerns, 52 of my Senate colleagues joined with Senator LANDRIEU and me in sending a letter to the President of Guatemala encouraging an interim measure for pending adoption applications in Guatemala. This action by the Guatemalan Government will help ensure that orphaned children do not remain outside the care of a loving family for lengthy periods of time.

Additionally, I have been in close contact with the Department of State, the Guatemalan Government, and anxious Minnesota families as this issued progressed. The Guatemalan Government is currently debating provisions that would allow U.S. adoptions that are in process to continue, despite the implementation of The Hague Convention in Guatemala. I know that matter was being debated. I received a message from the State Department. Originally, I thought the measure was passed, and then I was told they hadn't. The State Department informs me there will be no action taken today, as it was not on the agenda, but both versions of the law are under consideration and do contain grandfather clauses that would protect the in-process cases. This bill apparently will be coming up next week. We have been in touch with the consular general, with the Ambassador. If no bill is passed, The Hague Convention will become effective on December 31. But we have assurances from senior Government officials responsible for implementation that pipeline cases will continue to be processed under the old system.

I will be traveling to Guatemala right after Thanksgiving in order to discuss these critical issues with key United States and Guatemalan officials. They have a new President-elect who was elected in November, President Colom. We will continue to work on this. I will not be traveling alone. Traveling with me will be countless stories of affectionate Minnesota families who are hoping to complete this process so they can receive and give love. I have also had the privilege of working with families on other international adoptions. Many are unaware of the devastating human tragedy of decades of unrest and civil war in Liberia. Recently, I had the honor to escort a new young Minnesotan, Miss Patience Carlson, adopted by a Chaska, MN, family to the White House to be in the Oval Office and to meet with the President. The Carlsons had been within days of completing the adoption of their soon-to-be daughter Patience—what a perfect name for this young lady—when violence broke out in Liberia. As rebel forces moved into Monrovia, the orphanage began to run low on supplies and the Carlsons became desperate to unite with their new daughter. It was an honor to work on their behalf with the U.S. Embassy in Liberia to help complete the adoption.

I have traded stories with Senator LANDRIEU about how we have both been in those situations. We said we are going to get the kids out of the war zones and do what has to be done. That is the passion she brings.

The Carlsons got to meet the President of the United States. I have often related the story about an event in northern Minnesota called the Great Think-Off. Scholars, religious leaders, and regular people gather together to debate the great issues of the day and search for a common solution. One year the question was: What is the ultimate meaning of life? After several days of long-winded attempts by great philosophers and professors and others, a young girl who had patiently waited her turn went up to the microphone and said: The ultimate meaning of life is to do permanent good. She sat down and the meeting was adjourned.

Adoption is such a permanent good. It changes the lives of kids who have been through more in their short lives than most people could handle in a lifetime. It changes the lives of parents and siblings who make room in their lives for another, through which they learn the more you love, the more love there is to give.

I urge my colleagues and those who read this record to find time to reflect on the importance of adoption, visit the Web site at www.nationaladoptionday.org, and find a way they can contribute in a small way to this unique social service that makes such an important difference in the lives of so many people.

I am grateful for the work that the partners of National Adoption Day do. The Congressional Coalition on Adoption Institute, the Alliance for Children's Rights; Children's Action Network, Casey Family Services, Dave Thomas Foundation for Adoption and the Freddie Mac Foundation have once again come together to provide resources, guidance and encouragement to the cities planning events this November.

In the end we all have a responsibility to make sure the world goes on and we do that every time we give a child access to the love every child needs.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I would like to conclude our presentation with a few wrap-up remarks. Before my colleague leaves the floor, I wish to say that orphans everywhere have found a bold, brave, and articulate champion on their behalf. I am so pleased that Senator COLEMAN has joined me as a co-chair of the Adoption Caucus to help lead the 213 Members of Congress who have joined our coalition. As the Senator pointed out, it seems that around this place adoption is the only issue on which we can all agree and work so well together. I don't know if it is a tribute to us or to the children who bring us together in a very special way. I thank him.

The States of Arizona, Hawaii, Iowa, Kentucky, North Carolina, Oklahoma, and Wyoming have more than quadrupled the number of public agency adoptions in their States. It takes a lot of effort, not only on what we do in Congress, but for Governors, legislators, caseworkers, social workers, and judges. I wish to call those States out today to thank them for their extraordinary work. All States are making progress, and we are happy with what the statistics will show. But those seven states are making special progress.

Secondly, we want to be sensitive in our movement, if you will, to the role of birth parents and to honor the choices that birth parents make to the process of making good decisions and creating good outcomes. Sometimes we focus a lot of attention on the adopted child and the adoptive family. I am not sure we spend enough time honoring the role of the birth parents who make this very brave and generous choice. I would like our Congress to be sensitive this coming year to what we can do to honor and highlight birth parents who also are part of that great triangle of adoption.

Finally, I urge our State Department to support adoption. I know they are preoccupied with many important, significant and grave issues, from international diplomacy to conducting wars, which are very important and consequential actions. However, our State Department has taken 7 years to implement the rules and changes required by the Intercountry Adoption Act of 2000 that Congress passed. Every day and every week and every month that these rules are delayed, there are literally thousands of children who die. Without these rules, we can't keep open the avenues of international adoption. I will say this to our critics—there aren't many, but there are a few—every time there is a bad story about someone, maybe an agency, maybe a lawyer, maybe a disreputable person—and you know there are many disreputable people in the world, unfortunately—who does something wrong, does not fill out a document correctly or does not go through the proper procedures, and there is a big scandal in international adoption. The whole system is shut down under the guise of trying to get the ethics right.

Nobody is more committed to ethics and adoption than the two of us. We work every day to make it transparent, make it relatively easy, reduce the challenges associated with it, and have it meet every law and cross every T. However, every time a bank is robbed in this country, we don't shut down the banking system. We go after the bank robber. We find them and put them in jail. The banking system stays open. Every day people cash checks and deposit money and take money out and make loans and keep this economy going. Every time we shut down adoptions from a country, millions of children die. That is the consequence of our action. We need to focus on the roots of the problem. We need to find solutions that address the problems and their causes, but which also meet the best needs of the children in that country. I want the State Department—and I hope they are listening—to understand that those of us in Congress understand about ethics. We understand about laws. We want things to be as appropriate and as legal as possible. When mistakes are made in a country, the answer is not to shut down the adoption of children from there. When we do this, we not only break the hearts of thousands of our constituents who are waiting to receive these children and believe they are doing God's will by taking in orphans who would die otherwise and have no one to care for them, we also hurt the children who we are trying to protect. Our State Department very callously brushes that aside. They are going to hear from us this year. They need to finalize the rules required by the law that we passed long ago. We need to continue our efforts to improve our system of international adoption. We have to get the State Department's attention. I intend to work with my colleagues to do so.

I thank the Senator from Minnesota. He will be traveling to Guatemala over the holidays, which is a great testament to his leadership and dedication to helping us do the right thing by the children of Guatemala. We pledge to this Congress to give the best leadership we can on an issue that we all can come together on. It is quite refreshing.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

IRAQ

Mr. MENENDEZ. Mr. President, more than 3,860 men and women of the American military have died in the war in Iraq. At last count, 21 were killed in November alone, and we are only halfway through. In the Senate, we are worried about getting out of work in time for Thanksgiving. In Iraq, they are worried about making it to Thanksgiving. As I speak today, more than 28,450 American soldiers have come home from Iraq with their lives changed forever by wounds, with missing arms and legs, with traumatic brain injuries that will forever alter how they cope with everyday life, with more cases of post-traumatic stress disorder than ever seen before, with life-altering blindness that cuts light from their lives forever.

As I speak, American taxpayers are footing a $455 billion bill for this war, with long-term estimates soaring well beyond $2 trillion. At the same time, children are going without health care. Students are being denied proper education. Our bridges are going without repair. Our borders are going without being completely secured, and we heard today of a case in which we still can't get our screening down pat to secure the possibility of someone bringing an explosive device into our airports. That is the legacy of the war in Iraq.

In the context of this set of grim statistics, while watching images on television of horrific explosions and bloody bodies, Americans were asked at the beginning of the year to accept a so-called surge of our troops into that country, an additional force that was supposed to provide the breathing room for the feuding political factions to achieve reconciliation. Those factions, of course, are Iraqi factions.

The Bush administration knew that peace could not be achieved solely militarily, that it had to be achieved politically. The administration unilaterally decided that more troops, more weapons, more military would make the political reconciliation happen. So we have to ask: What has been the result? Our men and women of the military have carried out their mission with unparalleled skill and bravery. They have sacrificed life and limb for their country. That is why we must ask these questions. Because they always respond, no questions asked. But it is our obligation to ask for them.

Through their excellent work, they have achieved results. But has it brought Iraq closer to a lasting peace? Has the political reconciliation—the very purpose of the additional troops—been achieved? Absolutely not. Absolutely not.

The front page of today's Washington Post paints a startling picture, a picture of the hard truth. Our generals—our generals on the ground—tell us

that a political settlement remains elusive. In fact, their concern over this failure is growing. Let me quote from this morning's article in the Washington Post:

> Senior military commanders here now portray the intransigence of Iraq's Shiite-dominated government as the key threat—

''As the key threat''—

> facing the U.S. effort in Iraq, rather than al-Qaeda terrorists, Sunni insurgents or Iranian-backed militias.

Let me read that again.

> Senior military commanders here—

U.S. military commanders—

> now portray the intransigence of Iraq's Shiite-dominated government as the key threat facing the U.S. effort in Iraq, rather than al-Qaeda terrorists, Sunni insurgents or Iranian-backed militias.

So here we are, 6 months into the surge, with more troops in Iraq right now—175,000—than ever before, and the main purpose of adding these troops remains just an aspiration, well out of our reach.

So I ask my colleagues who supported the surge of troops, is this the result you envisioned? A situation in which dozens of Americans are still dying every month despite a reduction in violence? A situation in which the sons and daughters of America are more than ever acting as the police force—as the police force—in a country that remains volatile and deadly? A situation in which the people we need most to achieve stability—the leaders of the various Iraqi political factions—look at a never-ending American military presence in their country and see little reason to reconcile?

Are we going to remain in the middle of an internal struggle for power, as General Petraeus reported in September? I was shocked when General Petraeus had as part of his testimony that the main conflict in Iraq was a struggle for power and resources within the different factions of Iraqi society. Are we sending our sons and daughters to create the space for the Iraqi politicians to fight over power and resources? That is what we sent our sons and daughters for? That is why we keep them there? Is that what we bargained for?

We cannot accept the status quo in Iraq. When our military commanders say that, in fact, the biggest challenge to us is the intransigence of Iraqi leaders to come together, more so than al-Qaida, more so than Sunni insurgents, more so than Iranian influences, that is one incredible statement.

Things must change, and to change it will take strong action. It requires a choice: Do we stay the course when we know that peace and political stability cannot be achieved looking down the barrel of a gun? Military presence does not achieve political reconciliation. Remember, former General Pace of the Joint Chiefs of Staff said once: Well, we need the Iraqis to love their children more than they hate their neighbors. That is a powerful truism, but that does not come at the point of a rifle. That comes about through reconciliation. It comes through power sharing. It comes through revenue sharing. It comes through all of those things that, notwithstanding the arguments that we are creating the space for the Iraqi leadership to do, the Iraqi leadership has failed to do, and there is no movement in sight toward that goal. Or do we choose a course that impresses upon the political leaders in Iraq that they must reconcile and bring peace to their country swiftly?

We need to make them understand the true urgency of this task. We need to make them understand America will not always be there to play policeman. Instead of continuing to enable an endless and unchanging involvement in Iraq, we can set a timetable to begin bringing American troops back home. I believe that only then will we have the Iraqis understand that we are not there in an endless occupation, that they are going to have to make the hard choices for compromise, negotiations necessary to achieve a government of national unity on those issues of reconciliation, power sharing, revenue sharing, on the core issues that possibly can create the opportunity for a strong federal government in Iraq to survive. But as long as they believe we will stay there in an open-ended set of circumstances—shedding our blood and spending our national treasure—what is the urgency, the impetus for them to stop jostling over power, influence, and resources? Not only could we preserve the lives of countless American troops, not only could we save billions upon billions of taxpayer dollars, we also could make certain that the Iraqis know they will have to stand up to achieve the peace we all seek, the opportunities we would love to see for the Iraqi people, because until the Iraqi Government and military actually believe we will not be there forever, they will not actually take charge of their own country.

Transitioning our troops out of Iraq, that is what I choose. It is what the American people have continuously said they have chosen. It is what I urge my colleagues to choose. We have that opportunity coming tomorrow on the vote on bridge funding. That creates an opportunity to begin such a transition. I hope we will avail ourselves of that opportunity because if we have to read more and more of our generals saying that the intransigence of Iraq's Shiite-dominated Government is the key threat facing the U.S. effort in Iraq rather than al-Qaida terrorists, Sunni insurgents, or Iranian-backed militias, we are in deep trouble—we are in deep trouble.

We have to have an opportunity to change the course, and pride—pride—I hope is not the impediment for people recognizing that. We have lost too many lives already. We have spent an enormous amount of money. It is time for change. It is time for a change in course. It is time to make sure the Iraqis know they have to stand up for their own future, they have to make the hard decisions possible to have a government of national unity. That opportunity comes tomorrow for the Senate. I hope we will avail ourselves of it.

With that, Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. INHOFE. 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.

Mr. INHOFE. Mr. President, today we had a very interesting hearing where we had General Casey and Secretary Geren and others before the Armed Services Committee. I want to make sure that before we leave on this recess we have one more chance to talk about the significance of the McConnell-Stevens emergency supplemental appropriations bill. It is vital to our troops overseas, and it is important to the future of our Armed Forces.

As Senator MCCONNELL stated earlier today—and I am quoting now—he said:

> Because we have a responsibility to provide this funding to our men and women in uniform as they attempt to protect the American people, we need to get a clean troop funding bill to the President.

I would like to associate myself with these words and these remarks and also express my support for the supplemental he has sponsored.

The emergency supplemental offered by the Democrats, on the other hand, is the epitome of everything that is wrong with the 110th Congress. It is a bill we all know does not have the 60 votes needed to pass. This is not new to this Congress. We have had 61 votes related to Iraq measures; 29 of those votes were here in the Senate. If those on the other side of the aisle want to continue to play politics, now is not the time to do it.

The current war supplemental expires in 2 days—now, the reason I know that is true is that happens to be expiring on my birthday—which I hope I don't—and the Department of Defense will be required to start pulling from their nonwartime budget to pay for ongoing operations in Iraq and Afghanistan.

I understand that some of my colleagues want us out of Iraq regardless of what the facts on the ground may be, but not sending a clean supplemental bill to the President before we go home for the Thanksgiving recess is an absolute travesty. Forcing the Department of Defense to start reprogramming funds to keep our brave men and women fully equipped in Iraq and Afghanistan will jeopardize our efforts to maintain, sustain, and transform our Armed Forces, not to mention create an accounting nightmare. We went through this once before and we saw the trauma that resulted from it.

Deputy Secretary of Defense Gordon England, in a November 8 letter, stated

that a delay in war funding would force us in December to begin preparing to close facilities, laying off Department of Defense civilian employees, and delaying contracts. According to England, it would completely drain the Army's operations and maintenance accounts by the end of January, and the training of the Iraqi security forces will be delayed without this supplemental.

While fighting the war on terror, we cannot forget about our efforts to sustain and transform our Armed Forces. Pulling money away from such projects will cost us dividends in the future. We talked about that this morning, that we have a lot of things that are happening for our ground forces. We have the future combat systems we are involved in right now, and we cannot allow FCS to keep sliding as it does.

Other countries that are potential adversaries would be in a position actually to have better equipment than we do. A good case in point would be our best artillery piece happens to be called a Paladin. It is World War II technology. It is actually one where, after every round, you have to get out and swab the breech. People do not realize that. There is an assumption out there in America that America has the best of everything—the best strike vehicles, the best lift vehicles—and it is just not true. We do not. But this is one of the problems we will have if we do not continue to fund these efforts.

I have a hard time understanding why now, of all times, we would withhold funding for operations in Iraq and Afghanistan. Why now, when we are turning the corner in Iraq and our troops are making remarkable progress under the leadership of General Petraeus, would we hand the enemy off, tell them to lay low until December of 2008, and you can have the country then?

This proposed emergency supplemental by the Democrats sends the wrong message to our troops fighting in Iraq and in Afghanistan. It tells them: We will give you the funding to fight your war, but we don't believe in what you are doing.

I do not presume to speak for every American service man and woman fighting overseas, but I have met with a great many of them and have spoken with many of the families back home. It is kind of interesting that I have had the opportunity—and I say opportunity in a very sincere way—to have visited the area of responsibility of Iraq more than any other Member; actually, some 15 times, and I will be returning there in 2 more weeks. So when I talk about the military, these are the ones whom I have talked to on the ground. I watched Ramadi change from the al-Qaida declared capital to Iraqi control. That was a year ago right now when they declared Ramadi would become the terrorist capital of the world. I can remember Fallujah, when we were going from door to door, our marines, who were doing a great job. It is now completely secure, but not by Americans. It is secure by the Iraqi security forces.

I visited the Patrol Base Murray south of Baghdad and met with local Iraqis who came forward and established provisional units of neighborhood security volunteers. These individuals heard that the Americans were coming and were waiting to greet them when they arrived.

I watched these Neighborhood Watch and Concerned Citizens groups take root in Anbar Province—I think everyone realizes now that Anbar Province is kind of the success story over there—local civilians who were willing to take back their cities and their provinces. These citizens actually go out and paint circles around undetonated IEDs and RPGs, and it is something they are doing so we don't have to do it. Now in Iraq, in visiting the joint security stations, you see that our kids, instead of going back to the green zone in Baghdad, for example, go out and actually live with the Iraqi security forces and develop intimate relationships with them. When you see these operations take place, it is very gratifying.

We had the report yesterday up in 407 in a security environment about the successes in Iraq, and while that was a classified briefing, the information they gave is not classified. When you look, you can compare, as shown here—and I wish I had a chart so it could be shown—October of 2005, the Iraqi security forces had 1 division headquarters, 4 brigade headquarters, and 23 battalions they were leading in their own areas of responsibility. Now, 2 years later, in October of 2007, the Iraqi security forces have 10 division headquarters, 33 brigade headquarters, and 85 battalions. It shows that two-thirds of the entire area we have in Baghdad is now under control and under security. More than 67,000 Iraqis are serving as the concerned local citizens assisting coalitions and Iraqi security forces to secure their own neighborhoods.

Locals in Baghdad's east Rashid district are helping secure forces and locate IEDs. All of these things are going on right now.

I want to wind up. I know the majority leader has time he wants to share with us. But I have to say that Lieutenant General Odierno stated on November 1:

> Over the past four months, attacks and security incidents have continued to decline. This trend represents the longest continuous decline in attacks on record.

None of this is to say the war is over. We understand that. But I would have to say this: When I listened to my very good friend, the senior Senator from Massachusetts, talk about the doom and gloom, the facts that he cited just flat aren't true. We are winning. We are aggressively winning. Good things are happening. I have to say you don't get that from reading reports. You need to go over there and look for yourself.

The senior Senator from Massachusetts and I agree on a lot of things. He has been very active with me on doing something about the western Sahara problem. He is concerned about what Joseph Coney is doing in northern Uganda. We are together on a lot of things. But as far as Iraq is concerned, he has never made a trip—not one. I have been to A.O.R. 15 times. You have to go over there. I see it as our responsibility as Members of this Senate body. We are encouraged to go over by the military because this encourages our troops who are over there. When you go, they look at you in the eyes and they say: Why is it a lot of the American people don't agree with what we are doing over here? They know there were actually several terrorist training camps in Iraq prior to the time we were over there. In one they were teaching people how to hijack airplanes. All of those are closed down now. It has been a very significant thing. Nothing is more important than continuing along the lines of victory as we are today and finishing the job we have been carrying on in Iraq.

I applaud all of the young people over there. I said today in this hearing that I was a product of the draft and I always felt we would never be able to conduct this type of activity unless we had compulsory service. I have always supported compulsory service. But when I go over and I see these young volunteers, all of them total volunteers who are over there, the dedication they have, the commitment they have, I get very excited and I realize I was wrong. Those guys are doing a great job and we don't need to have compulsory service because we have great, dedicated Americans who are volunteering on a daily basis. The retention rates have never been higher than they are right now. Those individuals who come to the end of their term are reupping in numbers and in statistics we have never seen before. So good things are happening. We need to get this supplemental finished so we can have the continuity of funding over there and not have to rob other areas of our defense system. I am hoping we will be able to do this.

I thank you very much for the time.

I yield the floor.

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

Mr. REID. Mr. President, I appreciate my friend from Oklahoma yielding the floor. I appreciate it very much. He had the right to the floor and I hope he was able to complete his statement.

GOLDEN GAVEL

Mr. President, first, I want to recognize the Presiding Officer. One of the accolades that we are allowed, and certainly look forward to giving to the Members of the Senate, is for those people who preside over the Senate for 100 hours a year. My friend from Colorado has reached that pinnacle an hour or so ago. That is a tremendous accomplishment, 100 hours presiding over the

Senate. I congratulate my friend and look forward to the first time we get back after Thanksgiving recess on a caucus day where we make the presentation of the very fine golden gavel. As I have said before, it is a very nice presentation. You will be able, for many years to come, to talk to your children and grandchildren about presiding over the Senate for 100 hours in 1 year.

So thank you very much, I say to my friend from Colorado, who does an outstanding job not only presiding but being the Senator he is representing the people of Colorado.

TRANSPORTATION APPROPRIATIONS CONFERENCE REPORT

Mr. President, it is interesting; one Republican Senator said, when we were trying to clear something earlier, to one of my Democratic friends, the reason they couldn't clear our appropriations bill, the Transportation appropriations bill is that they were told the situation with the Republicans is they don't want us to do anything, so they object to everything they can, and that is pretty obvious. So we were prevented from going to the Transportation appropriations bill. It was quite unique that in the time we were doing this the Senator from Minnesota was on the floor. He, above all others, should be weighing in and trying to help us get the Transportation appropriations bill passed. There is money in it to rebuild the bridge in Minnesota.

But we have something else that is vitally important: terrorism insurance. We are arriving at a point where construction cannot go forward. Now construction is already taking place—certainly it can—but construction projects that are on the drawing boards in a month or so will not be able to go forward because they can't get terrorism insurance because we have not provided it. We have been ready for some time to do that. There is a bill that has been cleared on our side that the Republicans are holding up—a bill dealing with the very foundation of this country—whether the business community in our country is going to have the benefit of terrorism insurance. Without that, it is a dramatic hit to what we need to do in this country for the business community.

I think it is unfortunate. We asked our staffs to check with the minority and they said no, they couldn't clear it; maybe tomorrow. Well, we have a lot of tomorrows around here that seem to never come. It would be a real shame if we could not clear tomorrow the terrorism insurance that is so extremely important to this country.

IRAQ

It was interesting to hear my friend from Oklahoma speak about the war in Iraq. But I would ask everyone to look at—and I am sure it is not only in this newspaper—a daily newspaper that I had the opportunity to read today, the Washington Post, the front page headline:

Iraqis Wasting An Opportunity. Brigadier General John F. Campbell, deputy commanding general of the 1st Cavalry Division, complained last week that Iraqi politicians appear out of touch with everyday citizens. ''The ministers, they don't get out. They don't know what the hell is going on on the ground.''

If you turn over to page 22, which is carrying this forward—and there are also some interesting things said in this article.

So how to force political change in Iraq without destabilizing the country further? ''I pity the guy who has to reconcile that tension,'' said Lieutenant Colonel Douglas Ollivant, the chief of planning for U.S. military operations in Baghdad whose tour ends next month.

Mr. President, the situation in Iraq is very desperate. This newspaper article says, among other things:

The Army officer who requested anonymity said that if the Iraqi government doesn't reach out, then for former Sunni insurgents ''it's game on—they're back to attacking again.''

We have supported the troops for the entire duration of this war. We are the ones who recognized that there wasn't body armor for our troops, that mothers and fathers and brothers and sisters and wives were writing personal checks to send armor to the valiant troops in Iraq. We are the ones who recognized that. We are the ones who did something about the situation we have at Walter Reed, which was a scandal, how our veterans were being taken care of, but the President wouldn't sign our bill: $4 billion more for these valiant men and women who are suffering from things that have never been suffered in any war ever before. It is a war that has never been fought before. It is a war where these men and women are subject to these phantom attacks, and when they go home after their tour or tours of duty end and they have all their limbs and they can see, they are not paralyzed, they haven't been shot, they still have to get over this post-traumatic stress syndrome, because they have seen their friends get killed or blown up and injured.

I think it is very important to talk about how good our soldiers are, and that is what my friend from Oklahoma is doing. We agree. We have to understand that Iraq is in a state of crisis. You can't have it both ways. The President said he needed these extra troops to get the political situation in tow in Iraq. He has gotten the troops and now he wants to keep them longer. The troops in Iraq now are—because there are some people who are coming home and some who have just gone over there—there are about 180,500 some troops are there now to be exact, right now in Iraq. We don't know how many contractors are there, but there are estimates of up to 150,000. How much longer, Mr. President? How much longer do the American taxpayers have to take care of a country that is the richest or the second richest oil country in the whole world? How much longer?

Yesterday we were told that Iraq has a balanced budget. Isn't that nice. I am glad they do. Why do we need to keep pouring money into them—$12 billion a month. Infrastructure. We have spent billions and billions of dollars on infrastructure in Iraq. How much are we spending here in America? Our President has to look beyond Iraq and look at America.

Earlier today my friend, the Senator from Wisconsin, Senator FEINGOLD, came and asked unanimous consent that we could move forward on the Feingold-Reid legislation, which, in effect, says we have to get our troops out of Iraq very quickly, except those who are there for counterterrorism, force stabilization, and limited training of Iraqis. We are a coequal branch of government. That is why we believe, Senator FEINGOLD and I, that after June 30 of next year, funds would only be used for the programs I have mentioned: counterterrorism, protecting our assets, and limiting training of Iraqis.

But in our legislation it is not a suggestion, not a goal, but binding policy. That legislation recognizes our strong national interest in Iraq and the Middle East, but brings to an end the rubberstamp and unwavering loyalty in a never-ending war which is the hallmark of the Republican-controlled Congress. That legislation fundamentally changes course in Iraq and this almost unimaginably high price that grows every day. And there are 4,000 dead Americans.

(Mr. SANDERS assumed the Chair.)

Mr. REID. Mr. President, I was talking about how unusual this war is. Twelve and a half percent of the wounded have eye injuries. I don't know how many we have lost track of because we don't have recent reports, but more than 35,000 have been injured, and 12½ percent of them have eye injuries. That is how this war is different than other wars in one way.

Last week, a young marine came to my office, 21 years old. He entered the Marines when he was 17. He came to my office with his wife and baby daughter. He had been on his second tour in Iraq. His legs were blown off. I said, ''What happened?'' He said, ''We went to a house where we thought there were some people doing some things that we needed to take a look at. We walked out and somebody detonated a bomb and blew me up.'' He said it had been difficult to adjust. He was holding his baby in the wheelchair. His wife was over his shoulder. Senator DURBIN was with me when we visited this young man. Senator DURBIN told me today in the cloakroom that he has trouble getting this image out of his mind. We all do. A 21-year-old hero, who will live the rest of his life with these debilitating wounds of war.

He is not the only one, as we know. As if the toll of lives and limbs were not enough, this war also costs billions from our Treasury. We were told by the Joint Economic Committee earlier this week that the war—with the $200 billion he requested—all borrowed money, with a credit card that has no expiration date and certainly no limit. And

that is only the direct costs. We were told by the Joint Economic Committee what the cost of extra borrowed money is doing to our energy policy in this country, and the other things they list is double that.

To this point the war has cost America $1.6 trillion. That is a lot of money. We are not just spending our money; we are maxing out on our children and grandchildren's credit cards. But perhaps the most dangerous cost of this war will be measured in the damages done to our Armed Forces' ability to protect and defend our country. Military readiness is at a 30-year low. Our flexibility to respond to emerging threats beyond the borders of Iraq is greatly hampered. I am not saying this, and the Presiding Officer, the Senator from Vermont, is not saying this; this comes from General Casey, the head general of the Army. He said:

> The current demand for our forces exceeds the sustainable supply. We are consumed with meeting the demands of the current fight, and are unable to provide ready forces as rapidly as necessary for other potential contingencies.

That is the lead general of the Army saying that. What is more, we have heard time and time again during the last few months what is happening with recruitment. I have to tell you, I am offended when I hear people from the Pentagon tell us ''we are meeting our recruiting goals.'' You can meet any goal if you keep lowering the standards. You don't need to be a high school graduate anymore. You can have a criminal record. Our military has been hit hard. Not only is recruitment not heading in the direction that I think is appropriate, but what is happening to our officers? These people who go to our military academies are the best and the brightest. I have the opportunity to select people—and I have for a long time—to go to these academies. The best and the brightest of Nevada go to these academies. They finish their mandatory term, and then they are quitting. We are 3,000 captains short right now, and it is going to get worse.

Mid-level officers are so hard to come by. We are doing everything we can to keep them. Huge amounts of money are being given to these people to have them stay in the military.

Let's not forget the cost of the war on the men and women in our National Guard and Reserve. These are men and women we need protecting us and responding to emergencies here at home. But we know, as was exemplified in the storm that hit Kansas, when the Governor said most of his National Guard is in Iraq and the equipment they have is ruined—that is the way it is all over the country. These citizen soldiers have already had 2 to 3 tours of duty of 12 to 18 months each.

Our men and women in uniform have performed more than admirably; they have performed heroically. But these troops—now more than 180,000—awake each morning on that foreign sand to face another day of risk they cannot predict, and the appreciation they get from the Iraqis is that we do everything we can to protect the Shia, the Sunni, and the Kurds, and they all try to kill us.

It is no wonder GEN Colin Powell said that ''the Army is about broken.'' He was being generous.

If Senators cannot find the courage to stand against the President's failed war policy, I fear GEN Colin Powell might be right. The cost of the war extends beyond Iraq. The whole Middle East has been destabilized. There is a civil war going on in Israel with the Palestinians. Lebanon—could we call that a civil war? It is not much of a stretch. They cannot even hold a Presidential election. Iran is basically thumbing their nose at the world, and we are standing by saber rattling with almost no diplomacy for Iran.

What is going on in Iraq? An intractable civil war that has become even more pronounced in recent weeks, when the Turks gathered 100,000 troops on the northern border of Iraq. The crisis in Pakistan exemplifies what is going on. We not only have trouble in the Middle East, but we have lost our moral standing throughout the world as a result of this. The Bush administration focused on a person and a country, and now we have the situation we have in Pakistan.

The border between Pakistan and Afghanistan has become less stable. Musharraf now seems intent on derailing the path toward democracy. Billions of dollars of American taxpayer money is not fully audited or accounted for. And perhaps as bad as any of this, bin Laden is still wandering around and sending, when he feels like it, a tape to us so we can look at that. He continues to make these tapes taunting us, and his al-Qaida network, according to the President's own intelligence, is regrouping and is stronger than ever.

Meanwhile, on the other side of the border, conditions in Afghanistan—once hailed as a victory—continue to unravel. Ten American soldiers were killed this week.

Now Afghanistan supplies 93 percent of the world's opium. This year is going to be another all-time high production year. The people of Afghanistan suffered through the most violent year since the U.S. intervention. This year, 2007, is the bloodiest year in the history of the war for American troops in Iraq. In Afghanistan, violent incidents are up 30 percent. There is a rapidly rising influx of foreign fighters, and there was a report this morning that the Taliban has vastly stepped up the number of improvised and suicide attacks.

We cannot send more troops there. Listen to what General Casey and General Powell said:

> Many costs of the war in Iraq have been quantified: American deaths, Americans wounded, trillions of dollars in taxpayers dollars.

The other costs are not easy to calculate. How long is it going to take to repair our military? The estimated dollar value is hundreds of billions of dollars. How many additional troops and dollars will it take to win in Afghanistan? How do you calculate that?

The risk is that the next national security threat becomes a national security disaster because we don't have the troops to take care of it. And all for a war that our troops are fighting harder to win than the Iraqi politicians, who, after months and months of our troop escalation, have failed to achieve any meaningful political benchmarks.

Now the Secretary of State is saying those benchmarks don't mean anything anymore. But they did at one time, and they do to the American people—$12 billion a month, and they have a balanced budget? Ours isn't balanced. They are doing infrastructure development there. We are not. They are building hospitals over there. We are not. So now in this war—soon to be in the sixth year—our troops are no safer, national security is no better protected, Iraq is no closer to reconciliation than in the fifth or the fourth or third years.

We must not forget that we sent our troops to Afghanistan following 9/11 to go after those who attacked us, break up terrorist cells, and stop future terror plans from becoming reality. Now, 6 years later, we have moved far away from that critical fight.

It is long past time to get our national security strategy back on track, and the only way to do that is to stand up to our President. It is our constitutional duty, and our moral responsibility, to do so.

I compliment my friend from Wisconsin for offering his effort today to move forward on the Feingold-Reid legislation. That is what we need to do—bring our troops home.

Mr. President, I am going to be here in the morning and I will talk about the bill we got from the House. I appreciate the work they did. It wasn't easy to get it over here. It is not nearly strong enough for me. I am going to support it. Earlier this week, we gave the President of the United States $470 billion for the troops. We were all happy to do that. He signed that bill and, on the same day, within minutes, he vetoed a bill for the American people—the Labor-HHS, a bill that takes care of some of the education needs of this country, a bill that allows medical research to go forward for dreaded diseases in this country. He said no. So many things for our communities were in that bill. He said no. But to Iraq, he says yes. Don't you think it is appropriate, I say to the American people and the Presiding Officer, that to this man, who wants an additional $470 billion, we say, OK, but we want some accountability? Don't the American people deserve accountability for a war that has already cost the taxpayers $800 billion directly, and twice that in indirect costs? I think so.

Mr. President, I ask unanimous consent that the pending motion to proceed be withdrawn.

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

ORDERLY AND RESPONSIBLE IRAQ REDEPLOYMENT APPROPRIATIONS ACT, 2008—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I now move to proceed to H.R. 4156 and send a cloture motion to the desk and ask that once the motion is stated, the reading of the names be waived, and the motion to proceed be withdrawn.

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

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 4156, the Orderly and Responsible Iraq Redeployment Appropriations Act, 2008.

Carl Levin, Robert Menendez, Claire McCaskill, Robert P. Casey, Jr., Richard J. Durbin, Tom Carper, Amy Klobuchar, Daniel K. Akaka, Jack Reed, Patty Murray, Sherrod Brown, Frank R. Lautenberg, Charles E. Schumer, Sheldon Whitehouse, Debbie Stabenow, Barbara A. Mikulski, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

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

Mr. REID. Mr. President, let me say this: Tomorrow morning, the third vote in order is going to be a vote to invoke cloture on the farm bill. My friends on the other side of the aisle, my Republican friends, are near bringing this bill down. That is a shame. All those farm States out there—and there are lots of them—and all those farm communities—and there are lots of them—need to look to the Republicans for killing the farm bill. If they vote, and they should vote cloture to stop this silliness that has been going on now for 10 days, 11 days, they can still offer amendments. Once cloture is invoked, they have the 30 hours to offer amendments. We can enter into an agreement. If they want to spend a half hour on each amendment, 15 minutes to a side, whatever they want to do that is reasonable, but they have been unwilling to be reasonable. I guess they want, as I indicated earlier, the Democrats not to have an accomplishment. But the fault of the farm bill is at their feet. You don't have to look further than down at their feet. They are stopping an important piece of legislation, a bipartisan piece of legislation, and they are doing it for what I believe are very bad motives.

It is a shame. The American farm programs are good programs. This bill makes them better. Is this bill perfect? Of course not.

I went over the schedule with my staff as to what we can do in December. We don't have the luxury of spending a long time on this farm bill. We could if cloture is invoked. We could come back and finish this bill in a short period of time. If it is not invoked, we are going to be hard pressed to get the farm bill completed very soon.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, tomorrow morning, the national debate on the war in Iraq will continue on the floor of the Senate. The debate has now reached the stage where we are talking about funding for the war. This war, in its fifth year, has claimed almost 3,900 of our best and bravest soldiers. Some 30,000 have been injured, more than 10,000 with amputations, burns, and traumatic brain injuries, serious injuries that they will struggle with for a long time.

Earlier this week, I watched a television documentary. James Gandolfini, who has been in many movies, television documentaries, and shows, interviewed disabled veterans. I believe it was titled ''Alive Day Memories.'' It was a story of how each of these disabled vets from Iraq recalled the day when they believed they had been killed and their lives lost but somehow survived miraculously. They are extraordinary stories of courage, emotional stories about what they went through, and heartbreaking stories about some of the injuries they brought home. They were victims of traumatic brain injury—a young man with a video showing him in his youth with all the strength and vitality one could ask for, now struggling from a wheelchair to speak and to look forward to a life where he can walk and be anywhere near normal; his mother by his side holding his hand to calm him when the emotions overcame him.

There were amputees talking about returning home. Many of them worried about whether they would be accepted. There were some wonderful, heartwarming stories of families who stood by them through this whole struggle and are with them even to this day.

There was a beautiful young woman who was a lieutenant in the Army in her mid-twenties, red hair, as pretty as can be. A rocket-propelled grenade went off right next to her. It blew off her right arm and right shoulder. She showed extraordinary bravery in talking about what she had been through and putting her life together, and then struggled for words when she talked about whether she would ever have a family, whether she would ever have a child who would look at her as a mother.

I watched that show and thought about my role as a Senator, and I thought about this war. I was 1 of 23 who voted against it in the Senate. It seems so long ago, 5 years. A vote that was at the time politically hard, but a vote that I never ever questioned or regretted.

Now 5 years later, here we are still—still—with these stories, this handful of stories we saw on the documentary just representing a small percentage of the heroism and suffering of this war.

I have had the opportunity to speak with this President directly about these men and women. I have talked with him about Eric Edmundson from North Carolina, a young man, a victim of traumatic brain injury who has become close to me through his family and visited with me just this last week in my office in Washington. I have seen his family up close, and I know the extraordinary love they have for their son and father of their granddaughter. The sacrifices they have made for him, his wife and baby daughter, are extraordinary.

We have a Capitol guide—I wish I knew his name, and I will make it a point of finding it out—who makes a special effort to offer tours late at night for disabled veterans from Walter Reed. I run into him in the corridors after everybody is gone, and it is dark outside. He is giving special, personalized tours to veterans and their families. He always stops and introduces them and asks if we will pose for a picture. Of course, it is the least we can do, and we agree to do it.

He came by last week to Senator HARRY REID's office and brought a young man from New Jersey. I believe his name was Ray. Ray had his young wife and beautiful little daughter with him, Kelsey. Kelsey was about 16 months old, 17 months old. She was running everywhere. She was just a bundle of energy and happy as could be, as her mother worried she might break something.

Ray was in a wheelchair. He had lost both of his legs and lost a few fingers on his left hand. He had served in Iraq. He came back and considered himself lucky. He talked about what he was going to do from this point forward. So many stories of bravery.

Tomorrow morning we will have a vote, and it will be our chance to speak as a Senate about this war. Some people will view it as just another routine vote, predictable outcome, and be on with their lives and head home for Thanksgiving. But for me, it is a chance, just a small chance, to return to a debate which I know consumes the hearts and minds of so many Americans.

I can't tell you how many people I run into, particularly the families of these soldiers, who want this war to