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Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of glory, center of unbroken praise, Your wonderful deeds of old shine forth even to our day. For the beauty of the Earth and the glory of the sky, we thank You. For the opportunity our lawmakers have each day to labor for liberty, we praise You.

Guide the work of our Senators. Empower them to do Your will on Earth as it is done in heaven. May their lives provide models of exemplary excellence that will inspire thousands. Let Your compassion protect them and Your grace sustain them. Give them a new sense of power and purpose as they do what is right no matter the cost. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable E. BENJAMIN NELSON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 10, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. NELSON of Nebraska thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

ORDER OF PROCEDURE

Mr. REID. Mr. President, following the leaders' remarks, I ask unanimous consent that we stand in a period of morning business until 12:30 today; and that from 12:30 to 2:15 the Senate stand in recess.

The Republicans are going to hold a caucus at that time. I ask unanimous consent that be approved.

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

Mr. REID. Mr. President, this is Wednesday, and each day we come here and say the document that is going to be the bill that we are going to report on is done. Now I understand it is done. But the piece of paper is not before the Senate. There are two provisions I have instructed Senator DODD—and he has agreed—to take out of the document we are moving forward on, and that should be done momentarily.

I understand, in fairness, that all parties, Democrats and Republicans, deserve the opportunity to study this bill. It is about 25 pages long, as I understand it. But even though we have some speed readers in the Senate, they still need time to study it. In speaking with various Senators today, it appears pretty clear that the minority, the Republicans, are not going to move forward on this unless there is a lot of opportunity to study this legislation.

Therefore, it appears unlikely we will be able to have a vote on this today. That being the case, let me say I will file the work done by the Banking Committee, the Senate Banking Committee, because they are not totally in agreement with what is done by the House.

That way I will have it here, we will file the necessary motions on that, which would mean we would have a cloture vote on Friday on a motion to proceed to it. Now, we can always move that forward with unanimous consent. But everyone should understand, if this is something that everyone is going to make us dot every I and cross every T, then we would have that cloture vote early Friday morning, maybe as early as 9 o'clock.

If we did that, then the second vote would not take place until Saturday afternoon at about 3 o'clock, give or take a little bit of time. Then everyone can do the math as well as I can. The next vote would probably take place about 9 o'clock on Sunday. So the point is, if everybody is not cooperative and wants to create problems, we would not be able to complete this until Saturday or Sunday, but we are going to complete it. And when I say ''complete it,'' that means we are going to have our final vote on it, it will either pass or fail, but we are going to give Senators an opportunity to vote.

As indicated in the press today, Senator BIDEN said he would be willing to come back and vote if his vote were necessary. I apologize to everyone but not too sincerely, because I have done the best I can to move this forward. It is difficult.

We have the House, the Senate, the White House, and once in a while we hear from the new administration. So it has made it real difficult to come up with a final piece of paper, which I hope will be forthcoming in the next few minutes. But I think I have done the best I can to alert everyone. I know there are lots of people, Democrats and

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

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Republicans have a lot of important work to do. But this is also important business we are dealing with, dealing with the Detroit automobile manufacturers.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

AUTOMOBILE PACKAGE

Mr. McCONNELL. Mr. President, let me pick up on the issue the majority leader was discussing. Of course, we are not going to agree to expedite a procedure to a bill we have not read. The fundamental problem here—I know this is not the majority leader's fault—is we have not been able to get a copy of the bill that we believe represents an agreement that has been reached between congressional Democrats and the White House on the automobile package.

Until we get the actual bill and can read it, it is unrealistic to expect that I can ask my Members to advance consideration of the bill until we know what is in it. So as soon as we can have a look at it—we will be having a conference today on my side. Hopefully, we will have the bill by then. But as of this morning, we still have not seen a final version of the bill. Once we do, we will review it and see if it meets our standard for support, which will be the taxpayers' standard for support.

But as I indicated—and the majority leader has already picked up on that—there cannot be a vote on the legislation today because we do not know what it looks like.

On a bill this critical, with so much taxpayer money at stake, we cannot rush this through without adequate review. We are happy to begin the review process as soon as we get a product. My Members will be discussing the merits of the latest version of the plan, as I indicated, at our weekly policy lunch, which will occur today around noon. So this afternoon I expect to have some more substantive thoughts on this latest proposal's chances for support within the Republican conference. We will address this issue before the end of the week. I agree with the majority leader on that.

For those who need a refresher, let me remind everyone of the Republican criteria for this legislation: First and foremost, we will not let taxpayers spend their hard-earned money on ailing car makers unless these companies are forced to reform their bad habits, either inside or outside bankruptcy.

This means workers will not be paid not to work, it means a final bill would not interfere with pending environmental lawsuits in a one-sided manner, and it means struggling car companies will have to rationalize their cost structures because a company that does not respond to market conditions is a company that is doomed to failure anyway. Republicans will not allow taxpayers to subsidize failure.

As I have said repeatedly, my Republican colleagues and I wish to put struggling car makers on a path to long-term success, but, obviously, there will not be widespread support for a plan that does not do that.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I say in response to my friend, the distinguished Republican leader, we have had cooperation in moving forward on this legislation. I have not been a big fan of the White House, as everyone knows, for the last 8 years. But they have, in good faith, worked with us trying to get a piece of legislation we can bring before this body.

That is one reason it has taken so long. But President Bush is still President of the United States. He has tremendous power and rightfully so. Senator Obama is not, in any way, wanting to step on that. So this is something that is important. I totally understand what the Republican leader is saying. If I were in his place, I would do the same thing. It is not fair to ask that we move forward on this legislation without people having the opportunity to read it and study it and talk to others about what is in it.

I would hope, through, after we get the legislation, we can work something out to expedite the procedural matters. No one is under the illusion that we can do it on a simple majority; we are going to have to get 60 votes. I hope there is support from both sides of the aisle. I am fairly confident there will be. We will, later tonight, revisit what we might be able to do tomorrow and/or Friday to complete this legislation. We will do our very utmost to get this legislation completed so the Republican leader can take to his caucus the document so people can start, hopefully even before that, poring through it.

I have said so many times this thing is done, it is on its way, and have been disappointed when my staff says: Well, there are a few more issues that have come up. I think that has ended. I certainly hope so. I hope that at 12:30, when we recess, both the Republicans and the Democrats have a piece of legislation they can look at.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized.

FAREWELL

Mrs. DOLE. Mr. President, I rise to speak on the floor of this Chamber for the final time in my service as a Senator from the State of North Carolina. As I do, I cannot help but think back some 12 and a half years ago, when I sat up in the Senate Gallery to watch another Senator Dole, my husband Bob, deliver his farewell speech in this Chamber after nearly three decades of service.

Bob began his remarks by reflecting on words spoken by Abraham Lincoln in 1860, when a delegation arrived in Springfield, IL, to officially inform him he had been nominated by his party for the Presidency. Lincoln spoke just two sentences, and then he said to the large crowd of friends and neighbors gathered on his lawn:

> Now I will no longer defer the pleasure of taking each of you by the hand.

I rise with a heart full of gratitude, and, like President Lincoln and like Bob Dole, what I wish I could do is to take the hand of all those who have helped me on my life's journey and to express my heartfelt thanks. I would begin with friends from my home State. I have been blessed to serve the public in numerous capacities during my career. Without question, the highest honor has been representing North Carolina in the Senate. I thank my fellow Tar Heels for granting me the privilege of serving them.

Then there are a number of North Carolinians now gone whom I wish I could take by the hand again to thank them for the examples they set, the values they instilled in me and the love, guidance, and support they provided.

There is my grandmother, Mom Cathey. I can still vividly recall the Sunday afternoons spent with other neighborhood children at her home. We would enjoy lemonade and homemade cookies while Mom Cathey read from her Bible, which is now one of my most cherished possessions. My grandmother practiced what she preached, and she truly lived her life for others.

My beloved father John Hanford always supported my interests and taught me that anything worth doing deserved my best effort. When I wanted to run for president of my high school, which was not something girls did in those days, he stood right behind me cheering me on. He was protective but not overbearing.

My precious mother Mary, who passed away just shy of 103 years old, was also front and center in my life. She taught me at a very young age that the real joy in life is giving back to your community and helping those around you, and she was always there to urge me to go the extra mile: You finished your homework early. Have you thought about entering that essay contest? Unbeknownst to her, mother's example of hard work and dedication drew me toward public service as my mission field, my passion. She was a constant source of inspiration.

My dear brother John, 13 years my senior, who passed away earlier this year, was a role model I put on a pedestal. He encouraged me at every turn, providing me with invaluable counsel and infinite support. And there is no finer example of a beautiful, caring heart, a person who lives her faith, than John's wife Bunny.

Speaking of faith, I am so proud of my two nephews, John Hanford III, currently traveling the world as our U.S. Ambassador at Large for religious freedom, and Jody Hanford, his brother, 17 years with Campus Crusade for Christ and 15 visits to work in Russia and Ukraine.

I also wish I could thank teachers such as Agnes Weant, whose dedication to young people led her outside the classroom on more than one evening to discuss colleges and future opportunities with my parents, and Duke University's dean, Florence Brinkley, who encouraged me to spend a summer in England studying at Oxford.

Because of the support and encouragement I received from family, friends, and teachers, I ventured to Washington, seeking to be part of something greater than myself. As a young adult, I was incredibly fortunate to encounter several great mentors who offered me direction, opportunity, and encouragement, mentors such as Bill Cochrane, who was thought of by many as North Carolina's third Senator. Bill served in the office of North Carolina Democratic Senator B. Everett Jordan, and he was like a one-man personnel office, assisting eager young people in finding jobs in Washington. During the summer of 1960, I worked in Senator Jordan's office. Knowing that firsthand historical experiences are much treasured by young people, Bill helped me get a front-row ticket to my first national campaign on board Vice Presidential nominee Lyndon B. Johnson's whistle stop tour of the South. Although my staunchly Republican father was concerned about my riding through the South, especially through Salisbury, my hometown, on LBJ's train, I knew Bill Cochrane was giving me an unmatchable learning experience, and I was right.

And how I wish I could hold out a hand of thanks to a remarkable woman who served in this Chamber for many years, Margaret Chase Smith of Maine. While working for Senator Jordan, I had the gall to request a meeting with Senator Smith. She didn't know me from Adam, but not only did she agree to see me, she devoted an entire hour to sharing her thoughts and encouraging me to get a law degree so I could bring some additional skills to a public policy job. I took her advice and entered Harvard Law School 2 years later. Senator Smith's example taught me the importance of having an open door for younger people who also seek public service as a noble endeavor and might need a little advice and mentoring along the way.

I was privileged to have the best mentor imaginable in Virginia Knauer, special assistant to President Nixon for consumer affairs. Virginia, a truly unselfish boss, wanted me as her deputy to have every experience that she had—my first testimony before Congress, my first press conference, speeches across America. After working with her for 5 years, Virginia wanted to support my nomination to the Federal Trade Commission. ''Oh, no, Virginia,'' I remember telling her. I said, ''I love being your deputy'' when she broached the subject. Virginia replied:

> Elizabeth, you have grown and learned as much as you can in this job. It is time for you to spread your wings.

In other words, she nudged me out of the nest. To this day, Virginia, at age 93, remains one of my most cherished friends, and I am grateful to President Nixon for my many years on the Federal Trade Commission.

I am indebted to former President Ronald Reagan for asking me to serve as his Secretary of Transportation and to President George Herbert Walker Bush for the privilege of serving as Secretary of Labor. And I thank the Board of Governors of the American Red Cross and their army of millions of volunteers for allowing me to serve 8 years as their president. At each of these positions, I have been fortunate, indeed, to be part of a team of extraordinary, hard-working men and women. I thank all those who have shared the mission fields with me over the years.

My special thanks to my very talented and capable Senate staff. These incredible men and women understand what it means to be true servants of the public, to have a passion for what they do. Yes, we have shared a mission field. We have worked hard. We have had some fun along the way, too, and we made a positive difference for North Carolina and America.

I thank all Members of the U.S. Senate. I knew many of you as friends long before becoming your colleague, and you will remain my friends after I depart the Senate. You will surely be in my thoughts and prayers as you steer our country through the challenging times ahead.

Most especially, I thank my incredibly supportive husband Bob, who is a constant example—and probably for some of you as well—that a leader should have not only a strong backbone but also a funny bone. From armed service to public service, elected six times by his Republican colleagues to be their leader, Bob's more than half a century of service to our country is a constant inspiration. Because of his leadership, we now have the beautiful memorial to the men and women of World War II. Bob's compassion and caring for his fellow man, exhibited through his actions in both public and private life, are to me unparalleled. He remains the light of my life. For all that you have done for me and for countless others and for our country, I thank you, Bob, from the bottom of my heart.

I could never have dreamed of the people I have been privileged to meet, the jobs I have been privileged to hold, or the issues I have been privileged to influence. Perhaps Theodore Roosevelt said it best with these words:

> Far and away, the best prize life has to offer is the chance to work hard at work worth doing.

I am so very fortunate to have found that best prize as a servant of the public. While I don't know what awaits me in life's journey, what will come next, I pray that I will find a way to continue to work hard at work worth doing.

May God bless America, and may God bless the United States Senate.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

BAILOUT DECISION

Mr. VITTER. Mr. President, I rise to discuss the very important issue before the Congress this week: the proposed bailout of the three major U.S. auto manufacturers. Of course, I have looked at this issue and the proposals that have been put forward very carefully because this is such a serious issue. I have studied the draft language that was released on Monday that certainly constitutes the proposal as we have known it for the last few days. I have followed all of the discussions and ongoing negotiations and ongoing changes to that language proposed Monday. In fact, I have offered concrete—hopefully helpful—suggestions of movements that could possibly garner my support. Based on all of that, after very careful thought and consideration, I have reached two inescapable conclusions for me. First, I cannot support this proposed bailout of the three U.S. auto manufacturers. Second, because I believe this proposal actually dooms those companies to failure, doesn't save them from it, I will use every procedural tool available to demand an amendment process on the floor of the Senate and to delay and block the measure as it presently stands.

I don't come to this conclusion lightly. I certainly realize that the failure of these companies, should they go under, would be devastating, first for millions of individuals and fine American families and secondly for our economy as a whole. In reaching this decision, I don't trivialize or minimize in any way the impact of that sort of failure. Certainly that has been brought home to bear in my State, particularly in northwest Louisiana. We have a significant GM plant in Shreveport. I am very aware of the positive impact of that plant. I am very aware of the workers there, the families, the suppliers who are affected. And, of course, all across our State, I am very aware of auto dealers and other folks who are tied so closely to this industry. I oppose this bailout plan, not in spite of the suffering to all those folks and our economy that failure of these companies would bring, I oppose this

bailout plan because of that level of suffering, because of that significance to individual workers and families and the economy as a whole.

That may seem a bit of an odd statement to some folks. Why do I say that? Well, for two reasons. No. 1, this proposal, at its core, is about giving these companies $15 billion of loans, $15 billion on the promise of a detailed restructuring plan yet to come. So we give them significant amounts of money—$15 billion—so that they go through that process, so that they start that discussion, so that they come back to us months later with a detailed restructuring plan.

Well, my reaction to that is pretty simple. I think the average American would say: What? Isn't that putting the cart before the horse? $15 billion, and then later, after that is out the door, we will see a detailed restructuring plan? Secondly, even more important than that, it means that the impetus, the pressure to make that restructuring truly fundamental, truly to the core, which is absolutely necessary for these companies to survive, that pressure is not nearly as great as if we held the money until that detailed restructuring plan was presented.

The second reason I will vote against this bailout plan, the second reason I believe it actually would doom these companies to failure is that I believe it politicizes the management of these companies right at a time where they need to move in the opposite direction so that business and engineering considerations alone guide their company's futures.

Let me say bluntly, I have no confidence—absolutely no confidence—in the present management of these three companies. But let me also say, if there is a way for that to go from bad to worse, it is by injecting into the process politics and a political appointee such as this so-called car czar. That would make a very bad situation very much worse. It would politicize further the management of these companies, again, when they need to move to a situation where business and engineering considerations alone guide their decisions.

Another good, specific example of this politicization is language which has been in the proposal so far to actually prohibit these companies from legally challenging various moves for individual States to impose onerous, complicated, different environmental standards on them. Again, we are bringing political mandates, political pressure, political decisions to bear right at a time when these companies need to move in the opposite direction, get away from all of that, which has been a part of the reason they are where they are today, and base their future decisions on business and engineering considerations alone.

For these companies to survive, no matter what taxpayer dollars are involved, they need truly core fundamental restructuring. They need to revamp and revisit all their obligations, all their business models, all their labor contracts, all their dealership associations—everything that constitutes them as they presently are. They need to do that; if not in a bankruptcy process, they need to do that through a process which is the equivalent of bankruptcy, just by another name.

This plan which is being worked on and will be presented before us is not that. What is worse, it is not only not that, I believe it will prevent that from ever happening and will, therefore, doom these companies to failure, no matter what taxpayer dollars are thrown at them.

Again, for this reason, I have reached what is for me a clear and inescapable conclusion. No. 1, I cannot support this general bailout plan. No. 2, because I believe this plan will actually doom the companies to failure, I will use every procedural tool available to demand a fair and open amendment process on the floor of the Senate and to delay and block the measure as it presently stands.

Mr. President, with that, I yield back the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. CASEY. Thank you, Mr. President.

HONORING OUR ARMED FORCES

FALLEN PENNSYLVANIANS

Mr. CASEY. Mr. President, yesterday, I came before the Senate to pay tribute to Pennsylvanians who gave, as Abraham Lincoln said, ''the last full measure of devotion'' to their country serving in Operation Iraqi Freedom.

Therefore, today, I would like to take this opportunity to honor the men and women of Pennsylvania who have served in Operation Enduring Freedom in Afghanistan. This struggle began in the weeks following the gravest attack on American soil; it was a direct response to eliminate the sanctuary of those who plotted the horrific events of 9/11.

The men and women who have served in Afghanistan have faced extreme danger but have persevered with a can-do spirit. Our men and women of the U.S. Armed Forces are indeed in a class of their own—all their own, I should say. And, like their brothers and sisters serving in Iraq, they mourn the sacrifices of their own.

So today in the Senate, I would also like to enter into the CONGRESSIONAL RECORD the names of those 25 Pennsylvanian heroes who may have fallen in the battles of Afghanistan but who have only risen in our appreciation for their service and sacrifice. I list them now:

CWO Michael Slebodnik of Gibsonia, PA;
PFC Michael Dinterman of Littlestown, PA;
LTC Richard Berrettini of Wilcox, PA;
SPC Jonathan L. Luscher of Scranton, PA;
SPC Derek Holland of Wind Gap, PA;
PV2 Matthew Brown of Zelienople, PA;
1LT Jeffrey Deprimo of Pittston, PA;
2LT Michael Girdano of Apollo, PA;
SGT Douglas Bull of Wilkes-Barre, PA;
SSG Troy Ezernack of Lancaster, PA;
Po3 John Fralish of New Kingstown, PA;
CPT Bryan Willard of Hummelstown, PA;
SGT Jonathan McColley of Gettysburg, PA;
SGT James Fordyce of Newtown Square, PA;
SGT Brett Hershey of State College, PA;
PFC James Dillon, Jr., of Grove City, PA;
SSG Paul Sweeney of Lakeville, PA;
SGT Christopher Geiger of Allentown, PA;
SFC Scott Ball of Mount Holly Springs, PA;
SGT Jan Argonish of Peckville, PA;
SSG Patrick Kutschbach of McKees Rocks, PA;
CPT David Boris of Pottsville, PA;
MSG Arthur Lilley of Smithfield, PA;
1SG Christopher Rafferty of Brownsville, PA;
MSG Thomas Maholic of Bradford, PA.

To the families of these brave Americans, please know your son's or daughter's service will always be remembered and appreciated. Every time a child is able to go to school in America without fear, that service is appreciated. Every time a graduate looks positively toward their future, to live in a land of freedom and liberty, those who have served are appreciated and their sacrifice is appreciated.

The response of these men and women—whether it was in Afghanistan or anywhere in the world that they served—their response to the ultimate call to service ensures that each of us may live in freedom.

As Benjamin Disraeli once said:

> The legacy of heroes is the memory of a great name and the inheritance of a great example.

During this holiday season, when thoughts of our families and loved ones are on our minds, I wish to express my condolences and gratitude to those families who have loved and lost someone dear to them and also to express gratitude to those whose loved ones are now serving in a war theater far from home. Please know you are in our prayers.

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

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

PERSEVERANCE IN TOUGH TIMES

Mr. TESTER. Mr. President, I rise during this Christmas season to share with the Senate and the Nation an inspirational story from my home State of Montana. As a former public school teacher myself, I have known for a long time how amazing Montana's young people can be. This story is a story of triumph over tragedy that serves as the latest reminder.

Early on the morning of September 18, Montanans in and around Yellowstone County woke up to learn the tragic news that the Huntley Project

school in Worden, MT, was on fire—an act of arson. Despite the valiant efforts by crews from the Worden, Shepherd, Lockwood, and Billings fire departments, the school burned to the ground.

Although sad and angry about the fire, teachers, parents, students, and the whole community rallied to support the student body. As the Billings Gazette reported at the time:

> Huntley Project High was still burning when people in the tight-knit community vowed that the loss wouldn't affect their spirits.

Montana's Superintendent of Schools, Linda McCulloch, put out a request statewide for schools and businesses to donate school supplies and books and backpacks and computers. Montana's business community and citizens opened their hearts and their wallets, even in this tough economic time, to help these students.

Billings School Superintendent Jack Copps arranged for classes to continue in the Billings school district at Skyview High School and at other facilities to help them get through the first days after the fire. Later, temporary trailers were brought to the Huntley campus to help during the rebuilding process. The 230 Huntley High School students soldiered on in the spirit of their homecoming theme—that being warriors. They simply refused to give up. I met with Superintendent Dave Mahon last month and toured the burned campus.

The Huntley Project Red Devils have long been a power in Class B football. After the fire, the whole community rallied to cheer the team that symbolized Huntley's toughness in the face of an unbelievable challenge. The principal said it well: ''We're red and black and we're back,'' as Huntley beat the Townsend Bulldogs in their first game after the fire. There would be many more victories as the team finished a perfect season with a record of 12–0. Last month, Huntley beat the powerful team from Fairfield 41 to 28 to win the Class B State championship in football as players from both teams played their guts out and left it all out on the field. It was the first State championship for the project since 1998.

I wish to congratulate head coach Jay Santy, as well as assistant coaches Rick Dees, Mark Wandle, and Lenny Brown, all of the players and their parents, their teachers and friends and supporters throughout the Huntley community.

America faces some tough challenges today. Last month, more than a half a million American workers lost their jobs. Many parts of the country are suffering from the foreclosure crisis in the housing market and the domestic automobile industry teeters on the brink of collapse. As we work here to tackle those tough challenges, I suggest we follow the example of perseverance of these tough young Montanans. I suggest we lace up our cleats, strap on our helmets, and go out and get the job done.

As we approach the Christmas season, I urge the Senate to look at Huntley Project school and the greater community and look to the future with hope and grit.

Mr. BAUCUS. Mr. President, today I rise in tribute to the spirit of recovery for the Huntley Project High School which was destroyed in an early morning fire on Thursday, September 18. The bottomless community spirit and immediate outpouring of support from around Montana has enabled this school, its faculty and staff, 230 students, their parents and supporters to put their energies and efforts into opening its doors. Through the extraordinary leadership of school superintendent Dave Mahon and principal Tynie Mader, students gathered in the junior high auditorium at 8:15 a.m. on Monday, September 22, to receive school supplies and restart the school year in the wake of the fire. Classes are being held in trailers located on the practice field west of the burned high school.

The weekend following the fire, families and members of the community came together to clean up temporary classrooms for use, donate funds to replenish music and sports equipment, books and computers lost in the fire. Donations have come in from communities across Montana the Malta School District sent $500 to help, having experienced a devastating fire in 1995. The school has received bandstands from Absarokee schools, cleats from a major sports corporation, backpacks from Billings elementary schools, donations from the local banks and area businesses and offers from as far away as North Carolina.

The students have taken it upon themselves to shoulder part of the burden. They have applied to the television show ''Extreme Makeover'' to get their school rebuilt. They have been an integral part of sorting, carrying and cleaning school equipment. And their academic and extracurricular activities are getting an extra dose of school spirit these days.

The school and community rallied around the athletic teams at Huntley Project following the devastating fire. This burst of school spirit helped propel the Huntley Project Red Devils to the Montana Class B State championship in football on November 22. Huntley Project defeated Fairfield High 41–28. The victory in the State title game on the Red Devils home field capped off a perfect season for coach Jay Santy and his players. A sign on the fence encircling the field said ''Devils risen up with the flames.'' Indeed this statement is true of all in the Huntley Project community. The Red Devils girls volleyball team also rose to the occasion to excel this season. After being displaced from their gym due to the fire, the team was forced to practice and play all their games away from home. Despite this added challenge the squad led by coach Iona Stookey placed third at the State class B volleyball tournament. I would like to congratulate these fine student athletes, their coaches and teachers, and all in the Huntley Project community not only for their achievements on the playing field but also for coming together to support each other and working to rebuild the school.

Much has been done. More will need to be done. But we are Montanans, and we have that frontier spirit and grit that pulls a community together without question and without hesitation in times of need. In the meantime, we are all pulling for the Huntley Project Red Devils until their school is rebuilt.

Mr. President, 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.

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

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

Ms. STABENOW. Mr. President, I ask unanimous consent to speak in morning business and to use as much time as I may consume.

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

AMERICAN AUTOMOBILE INDUSTRY

Ms. STABENOW. Mr. President, obviously we have been in negotiations with a tremendous amount of work going on around the question of the American auto industry and the position they find themselves in as a result of, first of all and foremost, a global credit crisis. So I stand here today on behalf of hundreds of thousands of incredibly smart, productive, working men and women in Michigan and the millions of others around the country who design, build, service, finance, and sell American-made automobiles and have done so now for over a generation—the people who not only build the parts that are given to the auto industry but to the vehicles that our brave men and women drive right now in Iraq and around the globe, those who have built America and the American middle class, those who advertise and market and are engaged in so many different ways in the foundation of American manufacturing, which is the American auto industry.

I also wish to speak on behalf of Americans today who have benefited from a great American middle class, built on the notion that we don't just move paper around on Wall Street, we actually make things and we grow things. I know the distinguished occupant of the chair, from Pennsylvania, understands that, coming from a great State that makes things, grows things, adds value to it, people who work hard every day. The shower they may take is after work rather than before work, but they are just as valuable—and, I argue, maybe more valuable—in terms

of creating economic vitality and strength of an American middle class. That is why every other country in the world looks to us and is rushing to support their auto industry and manufacturing, to create what we have had in America as a result of hard-working men and women in the auto industry and other parts of manufacturing. So that is really why we are here.

I thank our leader for his incredible diligence and patience. Senator REID understands the importance of this issue. He understands what is at stake in terms of 3 million Americans and their jobs and the broader impact on the economy. I thank him for his incredible leadership.

I thank the Speaker of the House for coming forward and being willing to negotiate and be a part of the solution and for the great leadership she is now providing and will be providing in the House.

I also thank our chairman, CHRIS DODD, who has had, as chairman of the Banking Committee, so many things he has had to confront, from the housing crisis, where he was way ahead in calling for action that we now know should have been done back when he called for it to be done, as well as his willingness to work with us now on the other piece for Americans. Most Americans invest in a home, and they hope they will have equity that will help them in retiring or taking care of their children's college education or will be there in an emergency. The next thing they buy is their automobile to get them to work, to get the kids to school, to go on vacation, to be able to enjoy the American dream. I thank Chairman DODD because he has had crises in both of these incredibly important industries to our economy and to American families placed at his doorstep. He and his staff have done an amazing job.

I also say that for Chairman BARNEY FRANK, for the same efforts and willingness to focus on people on Main Street—the majority of Americans—not just on Wall Street. That is what this is really all about.

I thank the Republican colleagues who have been and will continue to be involved. Senator MCCONNELL has been working and raising legitimate issues relating to accountability, transparency, things that are resolved, I believe, in this work that will be coming before us. I thank the White House for working with us in good faith, and Senator VOINOVICH and Senator KIT BOND—all of those who care deeply and have come together in what is a bipartisan bill that is in front of us.

Mr. President, how did we get here? There are a lot of scenarios. I understand people who are mad at the industry for making the Hummer and are mad at decisions made 10, 15, 20 years ago, and some think workers get paid too much. I don't agree with them. All kinds of perspectives have come together to make this a difficult issue to deal with.

What is lost, unfortunately, in all this is the real story of today's auto industry. This is not your father's factory. These are people producing the marquee vehicles in quality, competing, winning awards, and are highly productive. They are the envy of the world in productivity. These are companies that have turned the corner and are rushing to the fuel efficiency vehicles. We could argue that it is not fast enough. I argue it is not fast enough. The early decisions should have been different, but they now find themselves in a situation where they are doing exactly what we want them to do. We have passed a 40-percent increase in fuel efficiency standards. We put in place in the fall funding for a provision, which I was proud to champion, in the Energy bill to help keep the jobs here in America, poised to take major costs off of the industry by the United Auto Workers stepping up and being willing to take the risk on retiree health care, to move it off of the employer, and a major focus on a year from now when the new vehicles will be coming out and retooling is happening. Everything is moving just as we would want it to be.

And then a global credit crisis. We know about that because of the major debate and what we were asked to do by this administration, to step up in an unprecedented way to be able to address this crisis. Unfortunately, money that was given to the banks has not been lent. I have suppliers that I have met who are not able to get the financing they need. We know dollars given to Wall Street have not made their way to the financing arms of the auto industry, to people needing the loans, to auto dealers, and so on. We also know in a global credit crisis that this is not just in America. All around the world now, we are in a situation where there is the perfect storm that is occurring. So we look at a result of the tight credit crisis and low consumer confidence right now and the concern, frankly, we start seeing that someone may go bankrupt and people hold back on buying a car. So the whole debate we are having is actually making it worse, unfortunately, even though we have to have a debate.

In November, auto sales dropped more than 30 percent—can you imagine any business that sees a 30-percent drop from a year ago—the worst month in 25 years for the second straight month. This is not just the domestic automakers. Yes, GM sales dropped 41 percent; Chrysler, 47; Ford, 31. Toyota dropped 34 percent, the folks they are always compared to, as somehow they are magically more efficient, which is not true. Toyota dropped 44 percent; Honda, 32 percent. The reality is, this is a global credit crisis.

We have a severe global credit crisis, consumers unwilling or unable because they have lost their job—they are cutting back—to purchase a vehicle, and it has hit capital-intensive companies the hardest. We can talk to those who make washing machines or refrigerators or furniture and so on. These are capital-intensive companies. Here we go, we can say, we shouldn't make anything anymore. Instead of worrying about foreign oil, let's worry about foreign tanks. See how many folks want to give us a tank in the war. Let's worry about foreign furniture, refrigerators, batteries. We are America, the greatest country in the world. We don't need to make anything. We can trade credit swaps. Obviously, that makes no sense. This is about where we go as a country in terms of our basic industries.

Automakers in Great Britain, China, Japan, Brazil, and the European Union have all asked for help and are getting it, by the way. They are receiving it. French President Sarkozy has introduced a $25 billion strategic investment fund because they understand they want an automobile industry in France and how important it is to their economy, and they want to compete with us. The European Investment Bank is considering $51 billion in loans. China has done the same kind of thing for Chery Automobile. Brazil has stepped up. Australia has stepped up. You can go right around the globe. It seems that everybody, but some here understand this is more than just penalizing a company you are mad at. This is about the underpinnings of our economy and fundamentally whether we are going to compete with every other country and make things in an advanced manufacturing economy that we are in right now.

Everyone understands we are in a race. Everybody else is racing, giving hundreds of millions of dollars to their companies, government funding for innovation. We don't do that. We put it on the backs of the companies. Every other country funds health care differently. Their companies don't have to have health care costs. Our companies pay for it.

We can go right across the board when we talk about parity, how we need to get parity. I am all for parity, if we look at the full picture. Parity includes saying to South Korea that sold over 700,000 vehicles to us last year: You have to let more than 6,300 American cars into your country. We did have a big discussion about parity. I welcome it. I have stood on this floor more times than I can count to talk about parity. But that is not what this is about. This is about a global credit crisis.

The question is: Does it matter if we have an American auto industry? Is it important to make cars in America, trucks in America, tanks, the Stryker? Is it important to make airplanes? Or as long as we can buy them it doesn't matter? I hope the answer is, yes, we need in America a manufacturing base, an auto industry.

One out of 10 jobs in this country is auto related—1 out of 10. In the middle of the biggest recession since the Great Depression, can we afford to say: 1 out of 10, it doesn't matter. I certainly hope not.

Our country lost 533,000 jobs just in November, bringing our unemployment rate nationally to 6.7 percent, which, by the way, we in Michigan would take that 6.7 percent and I bet you would too. We are in the heart of where this global economic crisis has hit.

The domestic auto companies provide health care and pensions to over a million retirees and their families which, by the way, if anybody goes bankrupt, open your checkbook because the Federal Government is going to take over those payments.

When we talk about what happens if only one of these companies goes bankrupt and the cost to the taxpayers, it will make the numbers we are asking for in a loan look like pennies, look like nothing. That is the reality of where we are.

Motor vehicle parts suppliers provide over 780,000 direct employment jobs, contributing 4.5 million private industry jobs and 5.5 percent of all manufacturing jobs. When we stop and think about it, there is more computer power in our automobiles than anything else we own. When we talk about Silicon Valley, their customers are automation alley—Michigan. Think about what is in your automobile—the computer power, the radios, the leather, and the cloth for the seats, the tires, the glass. I can go on and on. It is all connected.

In fact, the U.S. military relies, for instance, on Chrysler Cummins B series engine, which is commonly known as the Dodge Ram, for uses as both propulsion and electric generator power. This is one example of a production line that has to be kept open for our national security. Let me give other examples for the military.

Even for my colleagues who don't care about the domestic auto industry but care very much about defense and national security and what is happening to our brave men and women around the world, ArvinMeritor, a major supplier to all three automakers, has been a major supplier of axles to the Army for its 2½ and 5-ton vehicles for over 50 years. Axles—it makes sense—tank axles, truck axles. It makes sense. Do you think their major auto customer can go bankrupt and not pay them and have them continue to do business in this economy. Highly unlikely.

Goodyear Tire, GM's second largest tire supplier, has supplied tires for the U.S. military for over 100 years.

Navis, a key supplier of engine technology to Ford, produces a variety of widely deployed military trucks and light vehicles, including the MRAP. Where have we heard about the MRAP? A key supplier of Ford supplies the MRAP, the Mine Resistant Ambush Protected Vehicle, the deployment of which was, by all accounts, pivotal in the Iraq campaign. Ford supplied technology—the joint light tactical vehicle and the future tactical truck system.

Dana Corporation is a leading supplier of highly specialized axles to both the American auto industry and the military.

I could go on and on.

The point is, you don't shut down one piece of this and not have it affect everything else. This is a case of dominos going right across the country to every single person's State.

The failure of our industry would have debilitating ramifications for our entire industrial base and undermine our ability to respond to current and future military challenges.

As I indicated, other countries understand and have been investing huge amounts of money to get ahead of us in a number of areas, including the battery technology we all want in America for that next generation of hybrid vehicle, that electric vehicle about which we are all talking.

Germany has announced the Great Battery Alliance which will invest $160 million in advanced lithium-ion batteries,

South Korea will spend $700 million; China also. India has developed an automotive mission plan. We don't even have a manufacturing strategy today for America. Our strategy is: Hey, they can't make it on their own, we will go buy it somewhere else. That is just batteries. That is not all the other pieces.

We could go into health care and what is happening in trade and what has happened.

I have heard colleagues—and I am sure we are going to hear it again—say: Just let them go into bankruptcy. They will reorganize, restructure, come out a stronger company, and go forward. Unfortunately, in the automobile industry, it is not the same as a bankrupt airline. I flew on an airline in bankruptcy. You buy a ticket, you take one flight. That is it. That is different. This is the second most important purchase a family makes. You want to look at whether parts will be available, will they be able to meet their warranties. It is a whole different situation in automobiles.

The Center for Automotive Research, in looking at this very closely, found that if one or more of the top three automotive companies files for bankruptcy, we can expect about 2.5 million lost jobs, direct job losses, as well as a number of other industries about which I talked.

How tragic and, I say, outrageous, at a time when we have a wonderful visionary new President coming in, carrying all the hopes and dreams of all of us, talking about creating 2.5 million jobs next year, to have all that wiped out by our inability to come together and address this situation this week. I am optimistic we will come together and do that. It would certainly be a blow to the hopes and dreams of the American public of creating new jobs for next year and beyond.

I talked about the fact that suppliers would be affected. I have had very specific conversations with those who indicated very specifically the companies—and I will not name them, but if we saw a company go into bankruptcy now, the suppliers that would immediately begin to follow suit, suppliers that supply the Department of Defense, aerospace, other parts of the economy.

We are seeing that suppliers, particularly with all the talk of bankruptcy now, find themselves in a situation where matters are even worse, of banks not being willing to give loans. The questions in the hearings I would like to have of the folks who have already gotten taxpayer money is where are they in trying to be a part of the solution right now, people who have not had to go through what this industry has had to go through.

I certainly welcome accountability and transparency. It would be nice if it was on everybody getting Federal money. But the reality is we have suppliers that cannot get their upfront funding. They are now having to turn to the automakers to ask for prepayment, where in the past they waited until the product was shipped and then they would have 120 days or longer to make the payment. From a cash-flow standpoint, suppliers are saying: We need the money upfront, which makes the situation even worse.

This is a complicated situation which is, in fact, only going to be made worse if we cannot provide a short-term bridge loan.

Let me also say, as I wrap up, I mentioned before about taxpayer funding, the billions of dollars in liability we will assume in pensions, health care, unemployment costs, Medicare and Medicaid, and the lost taxpayer dollars. Bankruptcy would result in the reduction of personal income of $276 billion—much more than $15 billion in a bridge loan we are talking about—which would lead to a total Government loss of $108 billion over 3 years, not to mention States borrowing.

The reality is this bill, I believe, is a fair and reasonable compromise that reflects the global credit crisis that allows a short-term bridge loan until the end of the first quarter but then sets up rigorous oversight and transparency with requirements to come to the table to make the changes that are being talked about by colleagues, legitimate issues that have been raised about the need to restructure, deal with lower capacity, and continue to deal with costs on all sides. That structure is being put in place to do just that. The overseer, or the person now being dubbed the ''car czar,'' can actually recommend that the dollars not continue during that time period if they are not making progress on all of the areas that have been put together in terms of criteria. And no additional dollars would be given unless people were satisfied by March 31 that in fact there was long-term viability, that restructuring had been done. This gives us an opportunity to have the restructuring that is needed to create or to sustain an American automotive industry and American manufacturing in this country. It makes sense.

A lot of tough negotiations have gone on. This is a tough bill on accountability, it is tough on oversight. It is much tougher than anything that anyone on Wall Street has been asked to do, that is for sure. At the same time, it recognizes that we are in a global credit crisis and that the ability for them to borrow—to get a loan for a short period of time—is essential if we are going to have American manufacturing.

Mr. President, I hope we are going to come together. I know the House intends to vote, and we will be coming together to vote on this issue. I hope we will see a resoundingly bipartisan ''yes'' for a commitment to the middle class of this country to advance manufacturing for the future and that we will make sure people's feet are kept to the fire, that the right things are done, but that we will not give up on the middle class of this country. We are not going to give up on 2½ to 3 million people who are watching everything we are doing now to determine whether they have a future for their families that will give them a living wage and allow them to continue to be a part of this great American dream. I hope we are going to come together. I am optimistic that we will come together in the next couple of days and say yes and allow a whole lot of people to have a holiday season, a Christmas, that will allow them to know they have a future.

Mr. President, 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.

Mr. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent to speak for 20 minutes in morning business.

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

THE ECONOMY

Mr. DORGAN. Mr. President, all of us in this country are nervous and very worried about the American economy. This is an economic engine that has been the wonder of the world. It has provided so much good for so many people, expanding opportunities for jobs and careers, and for people to own homes. This is an extraordinary place, this place called the United States. We have been through tough times and good times, and this turns out to be one of those pretty difficult times for our economy. This ship of state has sort of stopped in the water, the engine isn't working very well, and we have a lot of trouble.

Since the first of this year, nearly 2 million people have lost their jobs. That sounds like just a statistic, but in a home where one spouse had to tell the other that they had lost their job, that is a disaster. So almost 2 million people have lost their jobs, and the question is, How many more will lose their jobs before we find a way to provide a foundation for building this economy back to an economy of strength and opportunity once again?

We are discussing here in the Senate and in the Congress a proposed $15 billion bridge loan for the automobile industry. My colleagues have been speaking about that, and there are a lot of jobs at stake, so there is a lot of passion on both sides of this issue. It appears to me that there are somewhere around 3 to 4 million jobs at stake with the automobile industry. I think the question is, at this precarious moment, teetering on the edge of a cliff with this economy, what would it mean if somehow we decide whatever happens will happen and we will let it happen, watch it happen, but we won't take action? What would it mean if a couple of million American people lost their jobs on top of what we have just seen? So I don't think the prospect is for us to sit around and be observers. We have to be active. We have to be involved, and we have to try to find ways to provide confidence that there will be an economic recovery.

Now, I am concerned about this recession, which is very deep. It is devastating to American families who have lost a substantial part of their assets and their 401(k)s and their retirement accounts. It is devastating to those who have lost their jobs. But I am concerned about something else as well: I am concerned about a government and a constitution that somehow seems to have invented a completely separate approach to governing. And let me describe what I mean. I am perfectly understanding of those that need to take and want to take emergency action to try to provide opportunities for the recovery of this economy. I understand that. I have studied economics. I taught economics briefly. I understand, having studied what happened in the Great Depression, the need to take aggressive action. But no one, in my judgment, has ever suggested that the need to take aggressive action should somehow obliterate the requirement for oversight and for accountability. But that is exactly what I think is happening today with an extraordinary kind of government outside of the regular process that we understand government to adopt based on our Constitution.

Let me describe what I mean and my concern about it. As I look at what has happened with bailout funds, rescue funds, all kinds of emergency actions, there is about $8.5 trillion in taxpayer funds that has now been put at risk. I am not talking billions, I am not talking about millions or thousands, I am talking about $8.5 trillion of taxpayer funds that appears to me to have been placed at risk. In almost all cases, this was done without the consent of the Congress, outside of any vote that occurred here in the Congress.

Now, I am not suggesting that the emergency powers, for example, at the Federal Reserve Board that Chairman Bernanke is using—should not have been a significant part of this effort to try to create emergency measures to address the economic trouble we face. I am not suggesting that at all. What I am saying is this: We have people huddled in rooms around here for days and days and days talking about what kinds of conditions should you put on the proposal of $15 billion that would be a bridge loan for the automobile industry, what kinds of tough conditions should they be, spell them out, make sure they are there. Well, guess what. With almost all of the Wall Street bailout money, there are no conditions, no real accountability that I am aware of.

Nobody was sitting in a room saying: You know what, let's establish tough conditions when we open the Fed's window for the first time in history for the investment banks to come and get direct lending from the Federal Reserve Board. I didn't see any conditions attached to that. You go down the list of things, and the Federal Reserve programs are $5.55 trillion.

Now, I am not suggesting the taxpayers are going to lose that money. They will perhaps lose some of it for sure, but some of it represents mortgages that likely will be good in the long term. The guarantee of certain kinds of mortgage securities, the funding for certain investment bank operations—you know I am not suggesting all of this is going to be lost, but clearly some will be lost. The taxpayers are at risk. Did anyone talk about what kinds of conditions should exist for that?

As I said, for a week now there have been people huddling about what are the strict and strong conditions you can attach to this $15 billion. I am in favor of strict and strong conditions to the things we do to move money into these circumstances. I am in favor of that. But why is it just here? Why not the $5.5 trillion? The FDIC program, $1.5 trillion, the Treasury Department, $1.1 trillion, $700 billion of which is called the Troubled Asset Relief Program—that, by the way, is a misnomer. That is what the Secretary of the Treasury asked for. He asked for $700 billion to buy troubled assets from financial firms. The Congress gave him the $700 billion. I did not vote for that, but the Congress gave him $700 billion, and very quickly he said: Well, that is not what I meant. I have changed my mind. We are not going to buy troubled assets, we are going to invest in capital in banks. So he promptly put $125 billion into nine banks—some of which apparently didn't want it—in order to, as the Treasury Secretary said, expand lending because the credit markets were frozen.

Well, guess what. That $125 billion called troubled asset relief money was put into banks instead as capital investments with no requirement at all that they expand lending. The purpose

of the investment was to expand lending, but there was no requirement that they expand lending. Pretty inexplicable to me. But the point is, $700 billion of this $1.1 trillion is the troubled asset relief fund, and then Federal housing has about $300 billion.

By the way, this has not been easy information to get. Some enterprising work by a number of reporters—Bloomberg, for example—was first to try to figure out what is out here in terms of liability. What are the risks? What are the American taxpayers being asked to assume with respect to a burden? The fact is, it was hard to find. And despite the promises and pledges of transparency and accountability, it doesn't exist. We are told: Well, this is not transparent because it is difficult to do that, to tell folks at so-and-so that this company got a loan and this company didn't. I don't understand that. The promise of transparency was not some sort of tepid promise; it was a promise that what was going to be done would be available to be observed by the American people. That regrettably has not been the case.

So the Troubled Asset Relief Program was a program that actually was the only portion of this $700 billion that was considered by the Congress. Despite the fact that the Secretary of the Treasury wanted $700 billion with a three-page piece of legislation, those who worked on that did put some conditions, accountability and oversight requirements in the legislation. These requirements that have existed for the TARP program don't exist for any other program.

What I suggest we do is this: I am going to introduce legislation that would the apply the conditions and other safeguards that exist for the TARP program—the Troubled Asset Relief Program—to all of the other federal lending activities so that we have tough conditions attached to all of these activities and some accountability and transparency and oversight.

It is almost unbelievable to me that we have this massive amount of money being moved around with no one—except for the $700 billion—in an elective position responsive to the American people. The American people, after all, are the ones who assume the risk of all of this—with no one in an elective position making these judgments.

This is kind of an extraordinary form of government we are seeing. It is one I do not think you read in the Constitution. Again, my criticism is not to those who are interested in being active to address an economic crisis. I believe you have to be active to address a crisis. But I think those who are working now on the auto issue, who are insisting on strict conditions, are completely at odds with virtually everything else that has been done without conditions or oversight at all. That makes no sense to me at all.

The TARP program has conditions of oversight, accountability, and transparency. None of them are applicable to the other portions—which is about $7.8 trillion. Is anybody asking why? Is anybody asking why should they not be applicable? I am going to introduce legislation that would make these same conditions applicable to all these areas. It doesn't matter whether it is an open Fed window or some other guarantee—we have $7.8 trillion of other guarantees that put the taxpayers at risk. In one way or another the American people deserve to be able to see what is happening to them.

I am going to introduce a number of pieces of legislation. One of them will be to impose the same conditions and oversight in the troubled asset program to all the other programs that exist here. Second, I am going to propose a piece of legislation called the Financial Reform Commission, creating a high-level commission that would report back to the Congress in about 6 months about how we would reform our system of finance in this country.

We can't continue this. The fact is, what happened threw this country's economy into the ditch. It caused an enormous wreck. And we are going to keep doing it? I don't think so. It has to change. It has to be reformed. Some of the largest financial enterprises in this country have gotten massive amounts of money, hundreds of billions of dollars, but no one has shut the gate, as I described yesterday.

I come from a rural background where we had cattle and horses. I understand about closing the gate. No one has closed the gate here. I described yesterday what caused all this—unbelievable reckless behavior, unbelievable greed. Lots of interests were making lots of money.

The story the other day was about someone who was in charge of risk management for one of the big investment banks. One guy is in charge of risk management, the other guy is in charge of trading CDOs—collateralized debt obligations. The guy in charge of trading CDOs didn't have a very difficult time getting his activities through the risk manager and they loaded up. Both of them were making over $20 million a year. Let me say that again—both of them make over $20 million a year. This company loads up with massive quantities of toxic assets.

Now we are all stuck with the proposition of the Federal Reserve Board, the Treasury Department, and others, including the FDIC, trying to come to the rescue but coming to the rescue without any notion of how you close the gate on that kind of behavior, first of all; and, second, what kind of conditions attach to that rescue.

Again, I say about all this effort today and in the last week about imposing conditions on the automobile industry—sign me up. I am for that. I am not for using taxpayers' money without substantial limitations and conditions. But then why are we standing here with $7.8 trillion having been put at risk for the American taxpayer with few or no conditions, with little or no transparency, with almost no accountability, when Treasury comes up and says we will stick $45 billion into a big financing agency, one of the biggest in the country, and, by the way, you don't have to get rid of anybody. Nobody loses his job. We don't impose a requirement that you cannot pay big bonuses. We will just give you the money.

The question is, What caused the requirement to give them the money? The answer is unbelievable recklessness by people who were greedy, making lots and lots of money. Why would you provide money to an enterprise of that type without very substantial restrictions and conditions attached to that money? That is a question I think the Treasury Secretary should answer, the Chairman of the Federal Reserve Board should answer. The American people deserve that answer. We need a financial reform commission that decides how do we reform this going forward.

Let me tell you about the reform that happened 9 years ago. The reform 9 years ago, by the ''smartest guys in the room,'' was: We are hopelessly old-fashioned in our finance, hopelessly out of date.

Leading up to the Great Depression—the 1920s, leading up to the 1930s—we saw banks that were engaged in very risky enterprises: Real estate, securities, a whole series of things that were risky. The country plunged into a big old depression, banks closed all over the country, and emergency legislation was put together—Glass-Steagall among them—that said: You know what. It is nuts to have banks engaged in risky enterprises. We are going to separate them, and we are going to make sure you can never do it again. That is why legislation such as Glass-Steagall was passed. It protected that banking system whose not only reality of safety and soundness is important, but the perception of safety and soundness is critical, because without that perception, a run on the bank can bring a bank down.

We went on after the Great Depression, having separated those kind of risk activities from banking. Then, in 1999, Senator Phil Gramm from Texas led the effort in the Senate, and the effort was in the House as well, to say: This is hopelessly old-fashioned. Are you kidding me? We can't create big financial institutions, holding companies that allow us to merge investment banks with real banks and get involved in the issues of real estate and securities and so on? Let's pass a piece of legislation called the Financial Modernization Act and get rid of all this obstruction that has been put in place after the Great Depression.

I wish to put up what I said during the debate in 1999 on the floor of the Senate. When the Financial Modernization Act left the Senate, the conference

report, eight of us voted no. I was one of the eight who voted no. Here is what I said in a speech on the floor of the Senate: ''This bill will also in my judgment raise the likelihood of future massive taxpayer bailouts.''

I am not prescient. I am not someone who can see the future. But I believed what we were doing in 1999 was unbelievably ignorant of the lessons we should have learned from the Great Depression.

''The bill will also in my judgment raise the likelihood of future massive taxpayer bailouts,'' I said in May of 1999. I wish I was wrong. Nine years later, here we are on the floor of the Senate, and we are seeing bailouts in every direction from the Federal Reserve Board, the Treasury, and others. I also said during that same debate: ''I say to the people who own banks, if you want to gamble, go to Las Vegas.''

But that wasn't enough. We had a lot of folks who decided, you know what, we need to get banking, once again, involved in some of the more profitable enterprises such as real estate and securities. We ought to be able, they said, to pass a financial modernization act that allows the creation of big financial holding companies with a homogenization of all kinds of different enterprises under one roof. They said we will put up firewalls, apparently firewalls made of balsa wood or paper, but we will put up firewalls, and things will be great, and so it passed. Only eight of us voted no in the Senate when that conference report left.

Yesterday, I described what happened as a result. It was similar to hogs in a corncrib, grunting and shoving and snorting. You heard it for a decade, especially in recent years. The most egregious part of it started with the subprime loans, but it was also with derivatives and credit default swaps. I said this back in 1999:

> If you want to trade in derivatives, God bless you. Do it with your own money. Do not do it through the deposits that are guaranteed by the American people.

There were four pieces of legislation I introduced during the interim going back to 1995 to try to prohibit banks from trading in derivatives. Let me put up a chart that shows what has happened with derivatives. The top five bailed-out banks: JPMorgan Chase got $25 billion in bailout funds from the U.S. Government. They have a notional value of derivatives of $91.3 trillion. The Bank of America got $15 billion in bailout funds. They have a $39.7 trillion notional value of derivatives. The list goes on. Citigroup, $45 billion in bailout funds, $37 trillion in notional value of derivatives.

This sort of mixes the terms. There is something called credit default swaps out there, something over $50 trillion of credit default swaps. If someone wants to know what they are, look at the AIG story. You will understand what brought them down. It was run by a little operation over in London with several hundred people. All this represented an unbelievable amount of reckless speculation that should never have been allowed to happen. That bill passed the Congress. President Clinton signed it. We have people—some of whom will come into this new administration—who were supportive of it. I think it was a horrible mistake. If we do not recognize it now, even as we are trying to dig out of this hole, we are going to head right back to the next hole. We need to have the Financial Reform Commission that develops the recommendations similar to what happened post-depression that will allow us to put together the kind of protections, once again, to make sure this will never again happen.

Let me also say I am going to introduce legislation calling for a National Financial Crimes Task Force. There needs to be accountability. I am not suggesting all of it is criminal or even a major part of it is criminal, but some of it undoubtedly represents criminal behavior. Yet there is virtually no investigation going on, on these issues. It is so unbelievable. I chaired the hearings in the Senate on the Enron Corporation. You remember Enron. That was a criminal enterprise that bilked particularly the west coast taxpayers and ratepayers for electricity out of billions of dollars. I chaired the hearing when Ken Lay, the chairman of Enron, came and lifted his hand to tell the truth and then took the fifth amendment.

Think of this, Enron was a big deal, a big scam and, in part, a criminal enterprise. In retrospect, the amount of money involved there is minuscule compared to the trillions of dollars we are talking about here that resulted from reckless business management and reckless practices.

I talked about derivatives and credit default swaps. I'll just mention, once again, the issue of subprime loans, when companies were advertising to the American people they should come to their company to get a loan, because if you were bankrupt, if you had slow pay, if you had bad credit, they wanted you to get a loan with them. In fact, they would encourage you to get a loan with them, and you wouldn't have to document it. That is called a no doc loan. You don't have to document your loan. Come to us, Zoom Credit said, come to us and get a loan. Slow pay? Bankruptcy? Troubles? It doesn't matter—come to us. That is just an example.

In fact, yesterday I showed that the largest mortgage banker in the country was engaged in the same sort of thing and that has already collapsed as well and the guy who ran it got off with a couple hundred million dollars, at least as I understand it.

My time is about up. My interest is in protecting the economy and protecting this country and protecting American taxpayers. We need to try to give some protection to American jobs and to protect taxpayers and that means strong conditions, strong oversight, transparency, and accountability. I am for taking emergency action. I am for doing what we can to pull this country out of this hole. But we ought not decide we are going to impose very strict conditions on this tiny little piece and on all the rest of trillions of dollars, it is Katy bar the door; whatever happens, happens; and don't complain.

That is not what the role of the Congress should be. This Congress should insist on every dollar that is committed on behalf of the American taxpayers that we have accountability, responsibility and transparency and strong conditions. That has not been the case to this point and I intend to introduce legislation that requires it.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LIEBERMAN).

The PRESIDING OFFICER. In my capacity as a Senator from the State of Connecticut, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. BROWN. Mr. President, I ask unanimous consent that morning business be extended until 3:30.

The PRESIDING OFFICER. Is there objection? Hearing none, so ordered.

AUTOMOBILE INDUSTRY

Mr. BROWN. Mr. President, almost a quarter million Ohioans are employed, directly or indirectly, by the automobile industry. The compromise bill we have negotiated—which I hope will pass tonight—means much more than just bridge loans for auto companies. This legislation means hundreds of thousands of middle-class workers in Ohio, in Missouri, in Indiana, in Pennsylvania, in Michigan, and all over this country; hundreds of thousands of middle-class workers in my State will be able to keep their jobs—jobs for car dealerships in all 50 States, jobs for suppliers in all 50 States. It means jobs at auto assembly plants and it means jobs at auto-stamping plants and engine plants in all those States I mentioned. It means communities would not suffer yet another blow from massive job loss. It means Ohio's economy and our Nation's economy will have a fighting chance to get back on track.

Inaction means a present of pink slips for millions of American workers this Christmas. Bah humbug. There are some in this Chamber who would rather see our largest manufacturing industry go bankrupt rather than provide a bridge loan to success.

Let's be clear about what this legislation will do. The legislation provides a bridge loan to auto companies, a loan that comes with strict oversight and with strict conditions—something, frankly, the Treasury Department did not do with the financial services industry. If the auto companies don't negotiate a real plan for restructuring their businesses, all the interested parties—that means the auto dealers, the suppliers, the bondholders, the workers, management—if they don't negotiate a real plan for restructuring their businesses with all the interested parties, then the loan gets called in March or in April. This is not handing a checkbook over to the industry to make out whatever they think is fair. This legislation means accountability. It means transparency. It means no more corporate jets. It means no more golden parachutes when they hit turbulence. More importantly, passing this legislation means saving millions of jobs nationally, hundreds of thousands of jobs in Ohio and Michigan, and tens of thousands of jobs in Pennsylvania—as I said, millions of jobs all over this country. This legislation means the potential, as the industry gets better and better—and it has shown improvement in the last couple years—it means the potential for new job creation.

This bipartisan compromise legislation will help ensure the long-term viability of the most important component in U.S. manufacturing—the auto industry. It will help ensure global competitiveness. It will help ensure and promote energy efficiency by developing advanced technology vehicles.

Let me say it again. This legislation will save jobs. This bill is about jobs. It is about creating a middle class and strengthening the middle class. It is about jobs.

Back in November, the auto companies were given the task of developing detailed plans of how they would use taxpayer support and whether we, as Members of Congress and as the public, could have some assurance they would be able to survive and ultimately thrive. They submitted their plans on December 2, and they gave detailed proposals of how they will return to profitability. There are no absolute guarantees their plans will succeed, nor can there be guarantees. But based on reasonable assumptions—again, a much higher standard than the financial institutions to which the Treasury Department has handed hundreds of billions of dollars—based on reasonable assumptions, these auto companies will return to financial health, and they will repay the Federal loans they are seeking within a few years' time.

Thirty years ago, Chrysler borrowed more than $1 billion. They paid it back. The Government made money. They paid it back, in fact, more quickly than the Government asked them to initially. In the last month, the auto companies, dealing with us in this Congress, have done their part, and now it is our turn. We have two choices. We can either provide bridge loans to the auto industry or we can drive the economy off a bridge.

Seldom are the consequences of inaction so clear. If we do nothing, there will be a cascade of bankruptcies, not just in Detroit but across the country, including in the Presiding Officer's State of Missouri, in my State of Ohio, and across the country.

Last week a steelmaker in Cleveland announced that 450 men and women need not come to work on Monday. Another week before that, in Lordstown, OH, GM announced a layoff of some number of autoworkers at the Lordstown GM assembly plant and, within days, major suppliers also announced layoffs. Some 40 percent of production goes to the auto industry from the steel plant I was talking about. It is already competing in an industry where foreign governments subsidize hand over foot.

What happens to that steel mill if one or all of the big three go bankrupt?

These layoffs are not just numbers. A young woman from Youngstown, near Lordstown, wrote me about how her family moved off welfare when her father found a job when GM was hiring. She said the interview and testing process was extensive and the stakes for her family immense. When her father got the job, he was so happy he cried tears of joy. As somebody recently hired, she fears for her father and her family. The tears may soon be those of sorrow.

Next week, Lordstown workers will conduct their annual food drive, feeding hundreds of families through the holidays. They contribute a third of the United Way budget. This plant contributes a third—these workers—to the United Way budget. They keep the hardware stores open. They keep the restaurants open. They fund the public schools with tax dollars. They keep firefighters on the street, police officers on the street.

My colleagues may not appreciate the dramatic changes that have taken place in this industry. Employment, as a whole, has been cut in half. Productivity has started to match or exceed the foreign transplant factories. The UAW has agreed to extraordinary reductions in the pay and benefits of autoworkers in 2005, again last year, in 2007, and again now. The UAW has been a partner in these negotiations, as outlined by UAW President Gettelfinger to the Banking Committee only last week, and in putting the industry on the path to match the costs of the competition.

If we fail to act, the consequences will be felt throughout the economy—in the credit markets, the supplier industries, even the local newspaper.

A little over 2 months ago it was the banking industry that faced a crisis with an urgent need for Federal help. As I said earlier, the differences in how we responded to the two crises are striking. The banking industry, initially, through the Secretary of the Treasury, gave us a three-page plan, a three-page bill for spending $700 billion. We obviously threw the three pages out because we wanted much more than that, but the revisions that came a week and a half later passed this Senate by a vote of 74 to 25.

The financial companies themselves, five of which have received more than $25 billion each, not only did not appear before Congress, they never produced a plan on how they would spend the money, nor had they been asked for one by Congress or the Bush administration. Contrast that with what we have talked about for the auto industry. They didn't have to testify about why they built or marketed structured investment vehicles, but we have heard plenty of debate about the building and marketing of sport utility vehicles.

The idea Secretary Paulson and Chairman Bernanke made before the Senate Banking Committee on behalf of the banking industry is it needed what it called patient capital that only the Federal Government could provide. The banking industry—Secretary Paulson and Chairman Bernanke told us—was in peril, but given Federal support, in a few years' time, it would be back on its feet. I don't quarrel with the need to help the banking industry, though I have plenty of concerns for the way we are proceeding. The need here is exactly the same in the auto industry, even though the standards for transparency we are setting are almost literally contrasted like night and day. The auto industry has been hit by the same collapse in the credit market that brought Secretary Paulson and Chairman Bernanke to Capitol Hill on behalf of bankers. It has the same need for patient capital, a bridge loan to take it to the other side of the recession.

We know this can work; we have seen it work in the past, but we have no basis to believe people will buy cars from a company in bankruptcy. That is why we can't let it go to chapter 11 bankruptcy. A structured, prepackaged bankruptcy—whatever term the lawyers in this body wish to use—if it goes into bankruptcy, people would not buy cars in sufficient numbers to get this industry back on its feet.

As we saw with the collapse of Lehman Brothers, standing by while a company goes bankrupt would send shock waves to unexpected places throughout the economy. It was a terrible mistake that Secretary Paulson let Lehman Brothers collapse. It would be a terrible mistake if the Treasury Department doesn't step up—which apparently they will not—but it would be a terrible mistake if now the House and Senate do not step up.

If we fail to act, years from now some future Professor Bernanke, now Chairman of the Fed, will study our actions and will absolutely marvel at the missed opportunity—trillions of dollars committed to the financial sector, tens of billions denied the manufacturing sector, with millions of people losing their jobs on top of the more than 1 million who have already been laid off this year. If we fail to act, we will commit one of the biggest economic sins of omission in our history.

Majority Leader REID is absolutely right to insist that we stay here as long as we need to get this job done. Let's make it a truly merry Christmas in millions of living rooms in Lordstown, in Walton Hills, in Toledo, in Dayton, in Sharonville, in Mansfield, in towns all across the State.

I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. BROWN. Madam President, I ask unanimous consent to extend morning business until 4 p.m.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

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

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

EXTENSION OF MORNING BUSINESS

Mr. SPECTER. Madam President, I further ask unanimous consent that the period for morning business be extended beyond 4 o'clock, and that I be permitted to speak in morning business for up to 15 minutes.

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

U.S. POLICY TOWARDS ISRAEL

Mr. SPECTER. Madam President, I have sought recognition for a few purposes. First, I ask unanimous consent that my statement regarding U.S. policy toward Israel be printed in the RECORD.

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

U.S. POLICY REGARDING ISRAEL

I have sought recognition to address the subject of United States policy regarding Israel and the Mideast peace process as we look forward to a new Administration and a new Congress next year. It is my expectation that the United States will maintain the close, strong relationship with Israel based on U.S. national interests, especially security interests, and our close cultural and historic ties with Israel.

While efforts are being made to bring democratic institutions to Iraq and Afghanistan, Israel is the only democracy in the region with our shared values. The record shows the U.S. vigorously supports a close relationship with Israel for good reason. Since the accords between Israel and Egypt in 1978, the United States has given substantial foreign aid to those two countries to improve their security and to promote the Mideast peace process. Since my election in 1980, I have voted for aid to Israel in the amount of $81.6 billion, consisting of $28.8 billion in economic aid—including $1.3 billion to resettle Jewish refugees—and $52.8 billion in military aid. In the case of Egypt, I have supported $35.2 billion in military aid and $23.9 billion in economic aid.

The importance of Israel as a strategic U.S. ally has motivated the U.S. to place special emphasis on Israel's security, part of which is promoting the Middle East Peace Process. During my 28 years in the Senate, I have traveled to many foreign countries in connection with my membership on the Intelligence Committee, which I chaired in the 104th Congress, and my membership on the Appropriations Subcommittee on Foreign Operations, where I am now the longest serving Republican on the Subcommittee.

As part of these travels, I have visited Israel 25 times and Syria 17 times with a view to assisting on a peace treaty between those two countries. As I see it, the key to such an accord is the Golan Heights captured by Israel in the 1967 War. Syria has long sought a return of the Golan. Only Israel can decide for itself whether its interests warrant returning the Golan to Syria for significant reciprocal concessions. Obviously, the strategic considerations are vastly different now than they were in 1967 since rockets can easily fly over the Golan. If Israel could rely on Syrian commitments to allow Lebanon to function as a sovereign nation, stop assisting Hezbollah and withdraw support for Hamas, Israel might conclude it was in its interest to return the Golan to Syria.

Israel and Syria were reportedly very close to a pact in 1995 when Yitzhak Rabin was Prime Minister and in 2000 when Ehud Barak was Prime Minister. Diplomacy has produced some results many thought impossible. Negotiations with North Korea have reduced that nation's nuclear threat although that situation remains volatile and uncertain. Negotiations have moved Libya's Muammar Qaddafi from horrendous acts of terrorism, including the blowing up of Pan Am 103 and bombing of a Berlin discotheque, resulting in the murder of US military personnel, to a willingness to negotiate and reform. Libya made reparations in excess of $1,000,000,000 and abandoned plans to design nuclear weapons in order to be admitted to the family of nations.

My studies and travel in the region lead me to believe that next year may be the right time to secure an Israeli-Syrian Peace Treaty if the new Administration aggressively pursues that objective.

As I prepare to travel to Israel and Syria in the next several weeks, I have reviewed my Senate activities on this subject. I think it would be useful to list some of the steps I have taken so that my colleagues and others will understand my reasons for optimism and so that the incoming Obama Administration will have my thinking in setting its course on foreign relations in the Mideast.

I first became deeply involved in an Israeli security issue shortly after being elected in 1981 regarding the proposed sale of E–3A airborne warning and control system (AWACS) aircraft by the U.S. to Saudi Arabia. President Reagan notified the Congress that he intended to sell Saudi Arabia $8.5 billion in arms—which at the time would have been the largest weapons transfer in U.S. history—including 5 AWACS aircraft and 101 sets of conformal fuel tanks for F–15 aircraft. I opposed the sale on the grounds that it undercut the Camp David accords. I wrote to President Reagan in August 1981 to urge him not to proceed with the proposed sale, and on October 28, 1981 I said on the Senate floor:

"Until the Saudis are prepared to embrace the principles of the Camp David accords and support the United States on this cornerstone of United States-Mideast foreign policy, it is my judgment that they should not be rewarded with the AWACS and the F–15 enhancement. . . . By focusing on the special United States-Saudi relationship . . . the administration has already moved a step away from the best hope for a Middle East peace—the Camp David accords and the now-reinstated autonomy talks between Egypt and Israel."

I was one of 12 Republican senators to vote for a resolution disapproving the proposed arms sale. The resolution was rejected 48–52.

The same policy that led me to oppose the sale of AWACS to Saudi Arabia has guided my actions throughout my Senate career on Israeli security issues. Before being elected to the Senate in 1980, I visited Israel in 1964, 1969 and 1980. My first visit as a United States Senator came in September 1982. During my 1982 visit I met with Prime Minister Menachem Begin, Labor Party leader Shimon Peres, and other Israeli leaders. I urged Prime Minister Begin to discuss with President Reagan the issue of a Mideast peace. I understood the two differed on what approach to take, but as I said on the Senate floor following my trip:

"As I [saw] it, there [were] major misunderstandings which could be resolved, or at least clarified, by personal diplomacy between these two men of good will."

Prime Minister Begin and I also spoke about my meeting with Lebanese President-elect Bashir Gemayel who was assassinated shortly after I visited him in his Beirut office in September 1982. I said that I saw some hope of Lebanese unification, and Prime Minister Begin stressed that a peace treaty with Lebanon was very important to Israel.

I returned to Israel in May 1983 and met with Prime Minister Begin, Defense Minister Moshe Arens, and Labor leader Shimon Peres. Prime Minister Begin stressed his desire to secure the delivery of F–16's to Israel before the scheduled date of 1985, saying that the planes were crucial for Israel's security.

Following my meetings in Israel, I traveled to Egypt, where I met with Egyptian President Hosni Mubarak. As I stated in my trip report:

"I began [the meeting] by conveying Prime Minister Begin's respects as Prime Minister Begin asked me to do, and President Mubarak responded about his esteem for Prime Minister Begin, saying that the Prime Minister was a man of his word and also . . . tough.' "

I pursued a discussion with President Mubarak on the question of further negotiations between Israel and Egypt in pursuance of the principles of the Camp David accords.

In October 1983, I was an original cosponsor of legislation introduced by Senator Daniel Patrick Moynihan that would have required that the U.S. Embassy in Israel and the residence of the American Ambassador to Israel be located in Jerusalem. Hearings were held, but the legislation was not passed by the Senate.

I made my first trip to Syria in 1984 and met Foreign Minister Farouk al-Shara. Following the lead of Congressman Stephen Solarz on an important issue, I urged the Foreign Minister to permit Syrian Jewish

women to emigrate because the limited number of Jewish men in Syria presented them with limited opportunities of marriage. Mr. Shara demurred. I raised the issue with President Hafez al-Asad four years later.

I returned to the Mideast in January 1987 to examine Persian Gulf security concerns as affected by the Iran-Iraq war, and again a year later, in January 1988. In Israel in January 1988, I met with Prime Minister Yitzhak Shamir and Minister of Industry and Commerce Ariel Sharon. I urged Prime Minister Shamir to enter into negotiations that would provide guarantees for peace. From Israel I traveled to Egypt, where I voiced my objections to President Mubarak's statement that the Camp David accords ''were a thing of the past.''

It was during my second trip to Syria, in January 1988, that I first encountered President Hafez al-Asad in a meeting that lasted 4 hours 38 minutes. We covered a wide range of issues: the Iran-Iraq war, which had just concluded; Syrian-Israeli relations; and U.S.-U.S.S.R. relations. I found President al-Asad at that time to be a very engaging interlocutor. I suggested, on a number of occasions, that I had taken a sufficient amount of his time, offering to leave, but he generously extended the time until we had discussed a very wide range of issues.

I also urged Asad to permit Syrian Jewish women to move abroad. Asad resisted, saying that Syria was ''at war'' with Israel, and that such emigration could only strengthen Syria's enemy. I continued to press the issue in subsequent meetings with Asad, and as I reported in a January 1994 editorial in The New York Post:

''Asad responded with a romantic offer that he would allow any Jewish woman to leave when a suitor came to Syria and took her to the United States to marry.''

I relayed that offer to the active Syrian Jewish community in Brooklyn and elsewhere. Ultimately, Damascus altered its policy and allowed Jews to emigrate.

At the time of my first meeting with President Hafez al-Asad, Syria was totally uninterested in peace negotiations with Israel. Upon returning to the Senate, I voiced my desire to see the Secretary of State appoint an Ambassador Plenipotentiary, like former Secretary of State Kissinger, to concentrate on the Middle East peace process, as I understood that the President could not focus all his attention on the region.

I again traveled to the region in January 1989. In Bethlehem that January, I met with the Bethlehem's beleaguered mayor, Elias Friej, who had been personally threatened by Palestinian Leader Yasir Arafat after the mayor had proposed a truce with the Palestinian Liberation Organization (PLO) in which the Israeli Army would cease using force in return for a cessation of violence by the Intifada. In my report to the Senate following my travels, I urged the prospective new secretary of state, James Baker III:

''to reexamine the merits of our dealing with the PLO. At an absolute minimum, we should require that the substantial showing by the PLO of deeds instead of rhetoric.''

I traveled with Senator Richard Shelby to the region in January 1990. In a visit to Damascus, I again met with President Hafez al-Asad. As I outlined in my December 2006 article in The Washington Quarterly, Asad initially rebuffed offers to open talks with Israel, stating that Syria would only participate in talks sponsored by all five permanent members of the UN Security Council. Israel opposed this format, believing that the odds would be stacked four to one against it, with only the United States supporting it in negotiations. When I pressed Asad on this issue again in 1990, he indicated that he had changed his position on the proposal and that Syria would be willing to participate in meetings organized only by the United States and the Soviet Union. As I reported in a March 6, 1990 floor statement, this change was significant because it appeared to be part of a broader Syrian initiative:

''In our January 1989 meeting, I asked on three separate occasions, separated by respectable periods of time, what it would take for Syria and Israel to become friends. President Asad answered, after a third query, that it was not a question of friendship, but that 'normalizing' a relationship between Syria and Israel might be possible under certain circumstances.''

When I arrived in Tel Aviv from Damascus in January 1990, I was greeted with the news that Senator Bob Dole proposed to cut aid to Israel, Egypt and three other countries by five percent in order to increase aid to Eastern Europe. In response to U.S. and Israeli news media inquiries, I publicly stated my opposition to Senator Dole's proposal, opposition which I later restated in a February 7, 1990 speech to the Senate:

''This is not the time, in the midst of delicate regional negotiations being encouraged by Secretary of State Baker, to withdraw support from our allies. It is the wrong signal to send, especially to Israel, which faces enormous additional costs as a result of a continuing emigration from the Soviet Union.''

During a January 1990 meeting with Israeli Prime Minister Yitzhak Shamir, I relayed the news that Asad was willing to attend a conference sponsored only by the U.S. and U.S.S.R. On January 23, 1990, I said on the Senate floor:

''When I was talking to President Asad of Syria, I noted a significant change in his position. For example, on the convening of an international conference where it has been Syria's position that a conference had to be convened by all five permanent members of the United Nations, he now is willing to have the international conference convened by only the United States and Soviet Union.

''When I brought that information to Prime Minister Shamir, he expressed interest because there had been a concern that there would be undue pressure on Israel, and that is another point where President Asad, of Syria, was willing to make a very flat statement that there should not be undue pressure and that the parties should sit down and have the discussions.''

One year later, in October 1991, Syria participated in the Madrid peace conference cosponsored by Washington and Moscow. Although the three days of talks did not yield a peace agreement, the summit marked the first talks between Israel and Syria.

In February 1993 I again traveled to the region. In Israel, I met with Prime Minister Yitzhak Rabin, Foreign Minister Shimon Peres, former Prime Minister Yitzhak Shamir, and Defense Minister Moshe Arens. I was encouraged on this trip when Syrian Foreign Minister Farouk al-Shara told me that the presence of United Nations forces on the Golan Heights would be accommodated by Damascus without objection. My hope for Israeli-Syrian agreement was further bolstered by Egyptian President Hosni Mubarak's reaffirmation of the importance of continuing the bilateral dialogue between Israel and Syria for broader regional peace.

It was not until my sixth visit to Syria, in December 1993, that Asad said his country was ready for a comprehensive peace treaty with Israel. My interest in promoting a comprehensive peace treaty between Israel and Syria was the motivation for each of my trips to Syria.

In 1994, I joined Senator Richard Shelby in introducing an amendment to the Foreign Operations Appropriations bill to condition aid to the PLO on Chairman Arafat's taking concrete steps to curtail terrorism and amending the PLO charter to eliminate the provisions which called for the destruction of Israel. The amendment was adopted by the Congress.

During my August 1995 visit to Israel, Senator Hank Brown and I met with Prime Minister Yitzhak Rabin, former Prime Minister Yitzhak Shamir, Likud leader Benjamin Netanyahu, and President Ezer Weitzman. Prime Minister Rabin said that Israel stood ready to negotiate with Syria, but that the Syrians wanted the U.S. to remain involved as a third party mediator. During this visit I also met with PLO Chairman Yasser Arafat. As I noted in my trip report:

''Senator Brown and I challenged Chairman Arafat on why he made speeches condemning terrorism in English and not in Arabic. He said his English was not good and made the contention that he had, in fact, made the speeches in Arabic. He continued to make speeches which poison the atmosphere in which both parties seek a peaceful resolution to the conflict. . . . But it seems to me, Mr. President, that Chairman Arafat could do a great deal more than he is doing at the present time to restrain terrorism. I believe that the U.S. Congress, certainly the executive branch but also the Congress, must be alert on this very, very important issue.''

I returned to the region in January 1996 and met with Prime Minister Shimon Peres, Likud leader Netanyahu, and PLO Chairman Arafat. I pressed Chairman Arafat on changing the PLO's Charter, and he promised to do so within two months of reelection later that year. When I again met with Chairman Arafat in August 1996, he had yet to make good on his word.

When Prime Minister Benjamin Netanyahu took office following the 1996 elections, he made a public announcement that he would hold Syria responsible for the Hezbollah's attacks in northern Israel. Syria followed by realigning its troops as if to prepare for conflict, drastically raising the threat of direct conflict between Syria's four-million-man army and Israel's smaller but more sophisticated combat force. I was in Jerusalem at the time, and on August 27, 1996 met with Prime Minister Benjamin Netanyahu, who asked me to carry a message to President Hafiz al-Asad stating that he was eager to get to the negotiation table with President Asad. The following day, I traveled to Damascus and met with Asad for three and a half hours. As I reported in my floor statement following the trip:

''I conveyed Israeli Prime Minister Netanyahu's message that Israel had only peaceful intentions toward Syria, that both sides should move immediately to reduce military tensions, and that Mr. Netanyahu wanted to reopen direct negotiations between Israel and Syria.''

Upon returning to the United States, I met Walid al-Mouallem—then Syrian Ambassador to the United States and now Syria's Foreign Minister—who said that his government viewed my August round of talks between Prime Minister Benjamin Netanyahu and President Asad as having been helpful in deescalating the dangerous situation. As I reported in a floor statement:

''Ambassador al-Mouallem told me that his government viewed my August round of talks between Prime Minister Netanyahu and President Asad as having been helpful in deescalating the dangerous tensions. . .and the Ambassador encouraged me to return to the region for another round of meetings

aimed at helping the parties find a basis to reopen their negotiations.''

At the encouragement of Ambassador Walid al-Mouallem and Prime Minister Benjamin Netanyahu, I returned to the region three months later, in November 1996. During my November 20 meeting with Prime Minister Benjamin Netanyahu, he told me that:

''[T]ensions with Syria [have] been reduced since the August/September time period and that he wants to continue to deescalate the saber rattling. He asked me to convey this and specifically that Israel has no aggressive intent against Syria.''

As I further noted in my trip report, Netanyahu also asked me to tell Asad:

''[T]hat [Netanyahu] wishes to [reopen peace talks] as soon as possible and that he is ready, willing, and able to be personally involved in such talks.''

I flew to Damascus following my meeting with Prime Minister Benjamin Netanyahu to convey the message to Asad. As I later said on the Senate floor:

''President Asad did generally seem to share Prime Minister Netanyahu's desire to continue to ease and avoid military tensions which could lead to unintended hostilities. Asad received this portion of Prime Minister Netanyahu's message positively and reiterated his own return message to the same effect.''

As I further noted in my Senate speech:

''I came away from this round of meetings convinced that the logjam might be broken, but only with direct action by the President of the United States.''

I returned to the region in December 1997, and as I said before the Senate, I came away from meetings with Prime Minister Benjamin Netanyahu and President Asad with the conviction that:'

''Activist intervention by the President could well bring the Israeli-Syrian tract to a conclusion. As to the Palestinian-Israeli tract, it is much more complicated. But, here again I have urged the President to bring Mr. Netanyahu and Mr. Arafat into the same room, at the same time, to hear their complaints and to try to bring a resolution to these very serious problems.''

In December 1998, I traveled with President Clinton to the Middle East to encourage the advancement of the Israeli-Palestinian peace process in the wake of the accords reached in October of 1998 at Wye Plantation. As I noted following the trip:

''Although somewhat overshadowed by the pending impeachment process, the President's trip was useful, I believe, in applying pressure to the sides to abide by their commitments toward future progress.''

During my August 1999 trip to Israel, I met with Foreign Minister David Levy and Prime Minister Ehud Barak. Prime Minister Barak explained to me that if Israel did not make peace at that time, he was certain that there would be another war in the Middle East. I understood that it was for this reason that he wanted to move forward rapidly with the Wye Accords, despite the political risk.

In January 2000, I traveled to Israel and met with Prime Minister Barak and Mr. Dan Meridor, a member of the Knesset and Chairman of the Knesset Foreign Affairs and Defense Committee. Prime Minister Barak and I discussed the recent Syrian-Israeli peace talks. I also joined Major General Uzi Dayan, the Israeli Defense Force Deputy Chief of Staff and cousin of the late Moshe Dayan, in reviewing the Arrow Anti-Missile System, a weapon with a theater ballistic missile defense capability. I understood then that rockets launched by Hezbollah and Hamas pose a major threat to Israel's security. To counter this threat, I have long supported full funding for the Arrow Anti-Missile System, the ''David's Sling'' Weapon System, and the Counter Terrorism Technical Support Working Group. I have helped secure over $1.4 billion for the Arrow Anti-Missile System over the past 19 years.

Syrian President Hafez al-Asad died in June 2000. I was the only member of Congress to attend his funeral. It was a 33-hour trip—15 hours over, 3 hours on the ground, and 15 hours back. I made the trip to pay my respects and to meet the new President, Bashar al-Asad. I found my 9 meetings with President Hafez al-Asad between 1988 and his death in 2000 to be fascinating, very informative and educational for me, and, I think, helpful in promoting better relations between Israel and Syria.

In December 2000, I introduced a bill to prohibit assistance to the Palestinian Authority unless and until the President certified to Congress that the Palestinian Authority had removed the anti-Semitic, anti-Israel content included in textbooks, used in schools, and on radio and television broadcasts made by publicly funded facilities in the Palestinian Authority-controlled areas of the West Bank and Gaza.

In January 2001, I traveled to Israel and met with Prime Minister Barak and Likud leader Ariel Sharon and discussed negotiations with Chairman Arafat. As I recounted on the floor of the Senate:

''Prime Minister Barak stated that the only reason he had not already ended his negotiations with Arafat was to give President Clinton, who had personally invested so much in the negotiations, one last chance to broker peace in the region.''

I returned three months later, in April, and met with Prime Minister Ariel Sharon, Foreign Minister Shimon Peres, former Prime Minister Ehud Barak, and Minister of Defense Binyamin Eliezer. I described the mood and content of my meeting with Prime Minister Ariel Sharon in my subsequent report to the Senate:

''Our meeting was conducted with a backdrop of an escalating conflict. During the previous evening, Israeli planes had bombed a Syrian radar installation in Lebanon in retaliation for the actions of Hezbollah in south Lebanon. I started my conversation with the Prime Minister by noting that the Egyptian Foreign Minister had asked me to talk to Chairman Arafat. Prime Minister Ariel Sharon wasted no time in delivering his message. The policy of the Israeli government would be to draw a distinction between the civilian population and terrorists. . . . He stated that he plans to ease the conditions in the territories. . . . Although Sharon did express some willingness to negotiation, it was clear that in his eyes the plan pushed by President Clinton in his waning days in office, is dead.''

At the time of my March 2002 trip to Israel, the United States was still reeling from the attacks of September 11, 2001. During my visit I met with Prime Minister Ariel Sharon and PLO Chairman Arafat. As recorded in my trip report:

''When I saw Chairman Arafat, I conveyed [former US Central Command Commander, General Anthony Zinni's] message that Chairman Arafat ought to make an emphatic, unequivocal statement in Arabic to stop the suicide bombings. Chairman Arafat refused to do that.''

I pursued this issue further, and on October 30, 2003, I held a Labor, Health, Human Services and Education Subcommittee hearing titled ''Palestinian Education: Teaching Peace or War?'' in which the subcommittee examined the Palestinian Authority's role in encouraging Palestinian youth to commit suicide bombings.

During my March 2002 trip I also traveled to Damascus and met with President Bashar al-Asad. As I told the Senate:

''I commented about President Asad's [2001] speech where he equated Naziism with Zionism. I told him that that not only was unacceptable and problematic for the international Jewish community, but for the international community generally. . . . I said equating Zionism and Naziism is very repugnant, that the principal reason for the Jewish action in Israel was the Holocaust and the incarceration of six million Jews, and that kind of equation is unacceptable.''

During my January 2003 trip to the region, Prime Minister Ariel Sharon castigated Syria for harboring terrorist organizations and aiding Hezbollah in Lebanon. I asked Prime Minister Ariel Sharon if he would be willing to enter into peace negotiations with Damascus, brokered by the United States, similar to those which Prime Minister Rabin had participated in in the 1990s. Prime Minister Ariel Sharon acquiesced with the assurances that there would be no preconditions to the talks. Three days later, I passed this message along to President Bashar al-Asad, who responded favorably, saying he was willing to participate in peace talks with Israel. As I noted in The Washington Quarterly:

''He said that he did not think it appropriate to conclude a treaty before Israel and the Palestinian Authority had reached a final settlement but that Syrian-Israeli talks could proceed on a separate track.''

During this trip I also met with former Israeli Prime Minister Ehud Barak, former Prime Minister Shimon Peres, Foreign Minister Benjamin Netanyahu, Israeli Attorney General Elyakim Rubenstein, and chief Palestinian Authority negotiator Saeb Erekat, to whom I expressed my opinion of the need for the Chairman to step aside, as I thought it unrealistic to rely on Chairman Arafat in the peace process because of the evidence implicating him in terror.

On November 8, 2005, as Chairman of the Judiciary Committee, I held a hearing titled ''Saudi Arabia: Friend or Foe in the War on Terror,'' to examine the role of the Saudis in allowing illicit financing of terrorist groups, including Palestinian terrorist organizations, from within the kingdom and in disseminating hateful anti-American and anti-Israeli propaganda throughout Islamic schools and mosques in the U.S. In June 2005, and again in November 2007, I introduced legislation calling for full Saudi cooperation in the investigation of terrorist incidents and an end to Saudi support for institutions that fund, train, incite, encourage or aid and abet terrorism.

In December 2005, I traveled to Israel and met with former Prime Minister Ehud Barak and former Prime Minister Shimon Peres. Peres and I discussed the Palestinian Authority and he said that if Hamas were to win the upcoming elections, it would be a wasted victory because Hamas is a religious based group and has no room for compromise. In an August 2006 visit to Israel I met with Prime Minister Ehud Olmert and Defense minister Amir Peretz. Prime Minister Olmert and I discussed Iran, and he emphasized that the international community must realize the threat Iran poses and act to confront it accordingly. As I noted to the Senate following my trip:

''On the question of Hamas, [Prime Minister Olmert] expressed hope that Abu Mazen would exert his authority and garner more control over the territories.''

Defense Minister Peretz and I discussed the conflict with Hezbollah. I said in my trip report:

''Peretz expressed his view that the International Community must examine the rules of war for the UN mission in southern Lebanon as Hezbollah is not a conventional force.''

I concurred, believing that, if there were not a sufficient peacekeeping force on the ground, Hezbollah would have the opportunity to rearm.

In December 2006, I traveled to Israel and met with Prime Minister Olmert, Foreign Minister Tzipi Livni, and former Prime Minister Benjamin Netanyahu. A major issue of discussion was President Asad's interest in resuming peace negotiations.

During this trip, I traveled to Damascus against explicit objections of Secretary of State Condoleezza Rice. I considered her objections, but felt that traveling to Syria was necessary in order to keep dialogue open between our nations. I believed that Senators have a role such as the one I was undertaking and the constitutional doctrine of separation of powers gave me ample standing to pursue the course of conduct I thought appropriate. On this occasion, I met extensively for more than an hour with Foreign Minister Walid al-Mouallem and the next day for a little over an hour with President Bashar al-Asad. President Asad said that he was interested in undertaking peace negotiations with Israel. He said he was obviously looking for a return of the Golan, in return for which he would provide assistance on the fragile truce which Israel then had with Hezbollah.

I pressed President Bashar al-Asad on the obligations Syria had to abide by U.N. Resolution 1701 not to support Hezbollah, and he said Syria would honor that obligation. I, also, pressed him on allowing the U.S. investigation into the assassination of Lebanese Prime Minister Hariri, and again I received his assurances on that subject. It is always difficult to know the validity of such assurances, but I think the dialogue and the conversation and pressing the point is very worthwhile.

Following my meeting, I wrote to President al-Asad to reiterate previous requests for assistance in determining the fate of Guy Hever, the Israeli soldier who disappeared from the Golan Heights on August 17, 1997. My efforts proved to no avail.

When I later told Prime Minister Olmert about Asad's desire to negotiate, he said Israel would need a ''credible sign'' that Asad is sincere before giving him legitimacy.

In March, 2007, I joined 78 of my Senate colleagues in writing to Secretary Rice to express our support for the principles put forward by the Quartet regarding restrictions on aid to the Palestinian Authority. As proposed by the Quartet, for the Palestinian Authority to receive direct aid, it would have to: recognize Israel's right to exist; renounce violence and terror; and accept previous Israeli/Palestinian agreements. In the letter we expressed disappointment that the Mecca agreement between Hamas and Fatah failed to meet these principles.

In September 2007, I wrote a letter to Secretary Rice stating:

''The essence is that a strong U.S. effort to resolve the differences between Israel and Syria could have a profound effect on changing Syria's provocative/antagonistic activities with Iran, Lebanon, Hezbollah and Hamas.''

In October 2007, I wrote a letter to President Bush urging him to personally participate in the Mideast peace process:

''As you know, I have done considerable work on these issues over the past two decades. . . . I believe that a major U.S. effort to push Israeli-Syrian negotiations could be very productive over the next several months. . . . Minister Barak said that your personal participation in such negotiations at this time could be the causative factor in producing peace in the Mideast.''

My most recent visit to the region came in December 2007. In Israel, I met with Prime Minster Olmert, Foreign Minister Livni, Defense Minister Barak, President Peres, and Likud leader Benjamin Netanyahu. Issues discussed included the November 2007 Annapolis Conference, Iran's influence in the region, and what could be gained by engaging Syria to end its support for Hezbollah and Hamas. Regarding the last topic, I said on the Senate floor following my trip:

''But as Prime Minister Olmert commented . . . there are very material advantages which could come if Syria would stop supporting Hamas. It would promote the possibilities of a treaty between Palestinian President Abbas and Israel. If Syria would stop supporting Hezbollah and destabilizing Lebanon, there could be a great advantage. Such a treaty would have the potential of driving a wedge between Syria and Iran which would be of value.''

During this trip, I also met with Syrian President Bashar al-Asad and Palestinian President Mahmoud Abbas. I again asked President Asad about the fates of Ron Arad and Guy Hever, and was told, as I had been in the past, that they have no knowledge as to what happened to them. I also asked about captured soldiers Ehud Goldwasser and Eldad Regev, who had been taken by Hezbollah, and Gilad Shalit, who was being held by Hamas. I later met with Gilad Shalit's father in Washington, to whom I reiterated my pledge to do whatever I could to help secure the return of captured Israeli soldiers or, where they had perished, to obtain their remains.

A major issue of discussion with President Asad and President Abbas was what could now be done to pursue the conclusions of the Annapolis Conference, at which the Joint Israeli-Palestinian Declaration was issued:

''We express our determination to bring an end to bloodshed, suffering and decades of conflict between our peoples; to usher in a new era of peace, based on freedom, security, justice, dignity, respect and mutual recognition; to propagate a culture of peace and nonviolence; to confront terrorism and incitement, whether committed by Palestinians or Israelis.''

In April 2008, I introduced a resolution urging Palestinian Authority President Mahmoud Abbas to officially abrogate the ten articles in the Fatah Constitution that call for Israel's destruction and terrorism against Israel, that oppose any political solution, and that label Zionism as racism. By striking that language from its constitution, Fatah would be setting an example for the Arab world. It would demonstrate that the Palestinian leadership understands the importance of words and perceptions in the peace process.

The problem of the institutionalization of inflammatory language in the Middle East extends beyond the Fatah Constitution. The Center for Religious Freedom, formerly affiliated with Freedom House, in a 2006 report entitled ''Saudi Arabia's Curriculum of Intolerance,'' stated that despite statements in 2005 by the Saudi Foreign Minister that their educational curricula have been reformed, this is ''simply not the case.'' On the contrary, religious textbooks continue to advocate the destruction of any non-Wahhabi Muslim. Saudi Arabia has established Wahhabism, an extreme form of Islam, as the official state doctrine, and about five million children are instructed each year in Islamic studies using Saudi Ministry of Education textbooks.

My intent in bringing the Fatah Constitution into focus now is not to undermine the Presidency of Mahmoud Abbas. Rather, my intent is to ensure that these problems of perception are addressed now so that all parties can take further steps towards peace.

As Secretary of State Condoleezza Rice stated on October 15, 2007 in Ramallah:

''If you're going to have a two-state solution, you have to accept the right of the other party to exist. If you're going to have a two-state solution that is born of negotiation, you're going to have to renounce violence.''

The purpose of the Fatah Constitution resolution is to urge President Abbas to take action, not only in words, but with deeds, just as I encouraged Chairman Arafat to do over a decade ago.

In addition to securing direct aid for Israel, I have used my position on the Appropriations Committee to urge my colleagues to maintain important Middle East provisions in the appropriations measures, including, but not limited to: the multitude of policy provisions, restrictions, and auditing requirements linked to bilateral assistance to the Palestinians designed to ensure that no portion of the aid is diverted or misused, provisions designed to compel the Palestinian Authority to commit to negotiations with Israel and to fight terror, and provisions to ensure that steps are taken to promote the detection and destruction of smuggling networks and tunnels that lead from Egypt to Gaza.

It is also worth recognizing that the relationship between the United States and Israel is built on more than our shared foreign policy objectives and common defensive goals. Our nations have long benefited from strong business and economic alliances in numerous industries. For example, American public and private institutions engaged in the field of renewable energy research and development are increasingly collaborating with their Israeli counterparts, and I have worked to promote such partnerships.

Congress has demonstrated its recognition of and support for cooperation between the renewable energy industry sectors within the United States and Israel. A Senate resolution passed by the Senate in April 2008 recognizing the 60th anniversary of the independence of the state of Israel cites Israel as being at the forefront of research and development in the field of renewable energy sources. The Energy Independence and Security Act of 2007 included a provision authorizing funding for grants to Americans and Israelis to encourage collaboration on research, development, and commercialization of renewable energy and energy efficiency technologies. This program was originally proposed in legislation introduced by Senator Gordon Smith, the United States-Israel Energy Cooperation Act of 2007, which I supported as a cosponsor.

During full Senate Appropriations Committee consideration of the fiscal year 2009 Energy and Water Appropriations measure, I worked to secure funding for the newly authorized U.S.-Israel Energy Cooperation program. Given the energy crisis in which we find ourselves and the prospect of leveraging Israeli expertise to pursue our renewable energy goals, I introduced an amendment to provide $5 million to fund the U.S.-Israel Energy Cooperation Act. Subcommittee Chairman Dorgan and Ranking Member Domenici agreed to include my amendment in the bill, as reported by the committee. I look forward to working with my colleagues on this important matter as we proceed through the appropriations process.

This statement summarizes some of my efforts to maintain a strong U.S.-Israel relationship, to strengthen Israel as a key strategic partner, and to promote an Israel-Syria peace treaty. Active participation by the Clinton Administration enabled the parties to come very close to an accord in 1995 and 2000. Israel potentially has much to gain if Lebanon is a strong, independent nation without undue Syrian influence or Hezbollah domination. If Syria stopped supporting Hamas, that entity committed to the destruction of Israel, might be sufficiently weakened to enable the Palestinian Authority to negotiate a Peace Treaty with Israel. A corollary benefit could be to drive a wedge between Syria and Iran.

For reasons amplified in my Senate floor statement on June 16, 2006 and my article in The Washington Quarterly's Winter 2006–2007 issue entitled ''Dialogue with Adversaries,'' I am firmly convinced that aggressive diplomacy holds the key to resolving international disputes, including the Mideast peace process, and should be employed by the new Administration.

ATTORNEY GENERAL DESIGNATE ERIC HOLDER

Mr. SPECTER. Madam President, I further sought recognition to comment briefly about the scheduling of the hearing for Attorney General designate Eric Holder.

In looking toward the hearing process, I am looking for a very constructive engagement to determine the qualifications of Mr. Holder. There is no intent on my part or on the part of any of my colleagues on the Republican side of the aisle to engage in partisan sniping. As I say, we intend to be constructive and not destructive. We are looking to strengthen the Department of Justice.

The position of Attorney General is an extraordinarily important position. We have seen that during the administration of Attorney General Alberto Gonzales, stated candidly, the Department was not well handled. That is a candid statement and also a very mild statement.

During the course of Attorney General Gonzales' tenure, there were so many situations where the Attorney General molded his views to accommodate his appointer, the President of the United States. A great deal that went on in the Department of Justice was partisan and not in the interests of the work of the Department or in the interests of the American people.

We have seen, since 9/11/2001, a vast extension of Executive authority. We found the terrorist surveillance program was initiated by the President without consultation under the tradition of notifying the chairman, which I was during the 109th Congress, or the ranking member. We found there was an engagement with the telephone companies to engage in electronic surveillance, again without notifying the chairman or ranking member of the Judiciary Committee and without notifying the intelligence committees of both Houses, as mandated by law. Further was the expansion of signing statements all during the tenure of the Attorney General.

Without going into the issues of politicization, they were rampant during the tenure of Attorney General Gonzales. I refer to an article, coauthored by the current chairman of the committee and myself, which appeared not too long ago in Politico, on October 28, 2008, where we said in part:

> The Attorney General must be someone who deeply appreciates and respects the work and commitment of the thousands of men and women who work in the branches and divisions of the Justice Department, day in and day out, without regard to politics or ideology, doing their best to enforce the law and promote justice.

With respect to Attorney General designate Holder, there is no doubt he comes to this nomination with an outstanding record, for the most part. Not without question but for the most part. He has an excellent educational background from Columbia: undergrad and law degree, a trial attorney in the Department of Justice, an associate judge of the Superior Court of the District of Columbia, U.S. attorney, Deputy Attorney General, Acting Attorney General—a very distinguished résumé, which I have recited.

But there are questions which have to be inquired into fairly, as already noted in the commentaries of the media on the editorial pages. There has been considerable publicity about the pardon of Marc Rich. There was a case involving Mr. Rich, who was a fugitive, who had given very substantial sums of money to entities connected to the President. The regular procedures for a pardon were bypassed. The Department of Justice was not consulted. The attorneys in the Southern District of New York, which was handling the Rich case, were opposed to the pardon.

From my own days as district attorney of Philadelphia, where I dealt with celebrated cases involving people who were fugitives, who had fled, that is about as serious a matter as you could find and hardly one where there would be an expectation of leniency or pardon to wipe out the charge, eliminate the matter, while the defendant was in absentia.

There was an extensive report filed on this issue by the House of Representatives Committee on Government Reform, the 107th Congress, second session. It is available for anyone to read. There are quite a number of very serious questions involving what happened with Mr. Holder and the people involved there.

The concern that arises is why Mr. Holder lent the recommendation, which has been characterized as neutral leaning in favor, in this context. I come to no conclusions on the matter. I approach this matter, as I try to approach all matters, with an open mind. But in an extensive interview with Mr. Holder he has presented his views. I don't think it is useful to get into the specifics as to the precise concerns which I raised and his precise answers. Let that await a day where we have a hearing and where Mr. Holder is in a position to speak for himself. But by analogy to the Gonzales tenure, I think it is imperative we be sure the Attorney General of the United States does not bend his views to accommodate his appointer; that the Attorney General does not bend his views in any way which is partisan or political, to serve any interest other than the interests of justice.

As noted in the article cited in Politico, where you have the professionals in the Department of Justice, they wouldn't even meet with attorneys for Mr. Rich, they thought it was such an open-and-shut case, and were opposed—at least according to information provided. This is all to be brought out at a hearing. But to run counter to the views of the professionals is a major red flag which has to be inquired into and inquired into with some depth.

Then we have the situation where Attorney General Reno recused herself on the issue of appointing an independent counsel to investigate alleged—and I emphasize alleged—illegal fundraising by Vice President Albert Gore out of the White House. There was the relatively notorious incident where the Vice President was at a meeting and drank a lot of ice tea and absented himself from certain parts of the meeting where he was not able to—or had a rationale for not knowing certain things.

I questioned Attorney General Reno in detail about that during Judiciary Committee hearings and she said: Well, there just wasn't sufficient evidence.

She had disregarded a document, a note taken by someone present, because, as she said, it did not refresh that witness's recollection.

I asked her about the doctrine of prior recollection recorded, which is a well-known exception to the hearsay rule. She denied knowing about it.

I note a frown on the face of the Presiding Officer, who is a distinguished district attorney herself. Doubtless we could speak at length about prior recollection recorded. I mention that because of the curious circumstances of what happened there. There we had an assistant U.S. attorney named LaBella, who was asked to take on the job of making a recommendation. According to the information provided to me, he made a recommendation for an independent counsel and the professionals in the Department asked for an independent counsel, and it was overruled.

I am not going to comment about Mr. Holder's role. Let him respond to that and let us take that up in due course. But here again is a potential situation where the interests of justice and objectivity were not followed in the highest levels of the Department of Justice when Mr. Holder was in charge, with the Attorney General, Attorney General Reno, having recused herself.

There are many other matters which warrant inquiry, and I will not take the time to go into them now. They are

referenced in a letter which eight Republican members of the Senate Judiciary Committee sent to Attorney General Mukasey, requesting information from the Department of Justice files.

I ask unanimous consent that a copy of this letter be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, December 10, 2008.

Hon. MICHAEL B. MUKASEY,
Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue, NW., Washington, DC.

DEAR ATTORNEY GENERAL MUKASEY: As part of our preparation for the Judiciary Committee's hearings on the nomination of Eric H. Holder to the office of Attorney General, we write to request that the Department of Justice provide certain materials in its possession relating to his service in the Department of Justice.

Specifically, we write to request, in accordance with the attached guidelines, all memoranda, correspondence, and other documents on which Mr. Holder is designated as a recipient, or documents prepared by Mr. Holder in his position as U.S. Attorney, Deputy Attorney General, or Acting Attorney General or by his staff, for his approval, or on which his name or initials appear, related to the following matters:

1. The Department of Justice's investigation into fundraising activities by Vice-President Al Gore during the 1996 election campaign cycle;

2. The investigation of President Clinton by the Office of the Independent Counsel and related impeachment proceedings against President Clinton, including consideration of appointing independent counsels and/or special prosecutors in related and unrelated matters during the period 1993–2001, including consideration of appointing independent counsels and special prosecutors;

3. The investigation by the Department of Justice into illegal contributions by the Castro family of Venezuela to the Democratic Party in 1992;

4. The investigation by the Department of Justice into the Clinton Administration's decision to allow Loral Space to export a communications satellite to China for launch on a Chinese-built rocket, and the subsequent report to Chinese government outlining methods for improving its missile guidance prepared by Loral scientists;

5. The issue of attorney-client privilege and work product protection for corporations under criminal investigation;

6. Clemency for the following members of the organization FALN (an acronym that translates to the Armed Forces of Puerto Rican Nationalists) by President Clinton on August 11, 1999, including but not limited to the July 8, 1999 memorandum from Deputy Attorney General Holder to the President: Elizam Escobar, Ricardo Jimenez, Adolfo Matos, Dylcia Noemi Pagan, Alicia Rodriguez, Ida Luz Rodriguez, Luis Rosa, Carmen Valentin, Alberto Rodriguez, Alejandrina Torres, Edwin Cortes, Oscar Lopez-Rivera, Juan Enrique Segarra-Palmer, Antonio Camacho-Negron, Roberto Maldonado-Rivera, and Norman Ramirez-Talavera;

7. FALN members who had petitions for clemency filed in their name but were not granted clemency, including but not limited to Carlos Alberto Torres;

8. The April 22, 2000, raid in Miami, Florida by Border Patrol agents to take Elian Gonzales into custody;

9. The Department of Justice's investigation into the 1993 confrontation at the Mt. Carmel Complex in Waco, Texas;

10. Any clemency or non-clemency related matter regarding Marc Rich, Pincus Green, Carlos Vignali, Harvey Weinig, Susan L. Rosenberg, or Linda Sue Evans, including but not limited to all communications to and from the U.S. Attorney's Office for the Southern District of New York prior to and following the issuance of the Rich and Green pardons;

11. Any matters related to or involving John M. Quinn;

12. The U.S. Attorney's Office for the Southern District of New York's criminal investigation of the 177 presidential pardons and commutations issued on January 20. 2001:

13. Death penalty approvals, rejections, or disputes;

14. The Youth Gun Crime Enforcement Act of 1999, the extension of the Brady bill, and other matters affecting gun rights;

15. The Department of Justice's decision not to defend the power of Congress to enact 18 U.S.C. §3501 in the Supreme Court litigation in *Dickerson* v. *United States*, including Department responses to Judiciary Committee inquiries on the subject and views of U.S. Attorneys and Department advisory panels on the matter;

16. The Equal Employment Opportunity complaint filed against the Department on March 1, 1996 by class agent Lawrence D. Durnford; and

17. Any denial of a Congressional request for documents or information from the Executive Branch.

This request is consistent with requests for similar documents the Department of Justice has provided in the consideration of past nominees.

We would appreciate your prompt attention to this request so that we may have adequate time to review the requested documents in preparation for Mr. Holder's hearing. Thank you for your cooperation.

Sincerely,

ARLEN SPECTER, ORRIN HATCH, CHUCK GRASSLEY, SAM BROWNBACK, JON KYL, LINDSEY GRAHAM, JOHN CORNYN, TOM A. COBURN.

GUIDELINES

(1) This request is continuing in character. and if additional responsive documents come to your attention following the date of production, please provide such documents to the Committee promptly.

(2) As used herein, ''document'' means the original (or an additional copy when an original is not available) and each distribution copy of writings or other graphic material, whether inscribed by hand or by mechanical, electronic, photographic or other means, including without limitation correspondence, memoranda, publications, articles, transcripts, diaries, telephone logs, message sheets, records, voice recordings, tapes, film, dictabelts and other data compilations from which information can be obtained. This request seeks production of all documents described, including all drafts and distribution copies, and contemplates production of responsive documents in their entirety, without abbreviation or expurgation.

(3) In the event that any requested document has been destroyed or discarded or otherwise disposed of, please identify the document as completely as possible, including without limitation the date, author(s), addressee(s), recipient(s), title, and subject matter, and the reason for disposal of the document and the identity of all persons who authorized disposal of the document.

(4) If a claim is made that any requested document will not be produced by reason of a privilege of any kind, describe each such document by date, author(s), addressee(s), recipient(s), title, and subject matter, and set forth the nature of the claimed privilege with respect to each document.

Mr. SPECTER. When hearings were held for Attorney General Ashcroft, they were held from January 16 to January 19 of 2001. At that time, there were 2 days of testimony from Attorney General Ashcroft, and the committee heard from 23 outside witnesses. May I remind everyone that John Ashcroft was a well-known person to the committee. He had been in the Senate. He had served on the Judiciary Committee. We knew him very well. But that didn't stop a very full, detailed inquiry. It was not done in a rush.

With respect to Mr. Holder's situation, we have in the committee some 86 boxes of archived committee documents relating to Mr. Holder's tenure in the Department of Justice. We expect those materials to increase very substantially when we receive materials from the Department of Justice and the Clinton Library.

Similar document requests were made to the Department of Justice in the Reagan Library during the confirmation of Chief Justice John Roberts, and they yielded some 65,000 additional pages of documents.

As of the present time, we have not yet received Mr. Holder's questionnaire, his nomination materials, or the FBI background investigation.

I have taken the time to come to the floor to outline, very briefly, some of the issues. They are set out in more detail in the letter which is now made a part of the record to Attorney General Mukasey, asking for specific matters regarding Mr. Holder. There are other matters which are in the media which I think are better left for further investigation, even before the hearing, before there is any public comment about it. But we are looking at a very major matter.

The Department of Justice has enormous responsibilities in the battle against terrorism and in the protection of civil rights. That is a balance which has to be maintained. There are real questions as to whether it has been maintained since 9/11. Those are matters for inquiry.

There are very substantial matters to be inquired into on the Justice Department position on waiver of attorney-client privilege, which started with the Holder memorandum when he was Deputy Attorney General and then went forward to the Thompson memorandum and the McNulty memorandum and so forth. Also, there are major matters of legislation now pending on the subject of reporters' shield, where the Department of Justice has taken a view which I believe has to be modified by legislation if we cannot get some accommodation with the Department.

That is a very brief statement as to the issues which we are looking for. As I look at this matter, it seems to me

not realistic or fair to begin hearings before January 26.

The week of January 19 is going to be occupied with the inauguration. And to have adequate time to prepare, it seems to me, that needs to be done. When we had hearings involving Chief Justice Roberts and Associate Justice Alito, consideration was made of the minority point of view, and extensive discussions were had, and there was an accommodation and agreement reached as to when the hearing was to be held.

So we are looking at a serious matter and we have to do it right. It is going to take some time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the period for the transaction of morning business be extended until 6 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that I be permitted to present my remarks. I should not go over 10 minutes, but I ask unanimous consent that I be permitted to do so.

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

ECONOMIC CRISIS

Mr. LAUTENBERG. Mr. President, if anyone sees the quietude that is enveloping our Chamber, they can reasonably ask a question about whether we are doing anything, is any work being done, what is taking place. I must tell you that I have to ask the same question.

The American people are at a point of great stress. They expect us to be hard at work solving a major problem facing us. I don't see the kind of visible stirring that ought to accompany our decisions over whether to get this job done. I hope that as we proceed further, we can get some kind of an agreement to at least let the American people know whether we support this idea that we provide some support for ailing companies that provide a lot of jobs in our society and how we can present economic opportunity that is so important for us.

As we work to provide a better future for our country, it is obvious that we face a particularly difficult choice at this moment. An essential segment of the American industrial base, the U.S. auto industry, is at a critical juncture. These companies have been mismanaged, they have lacked foresight, and they have been out of touch with what consumers wanted. They failed to understand the demand for fuel-efficient automobiles with higher gas mileage and lower costs. They failed to provide innovative designs to encourage consumers around the world to buy American. Instead, they stood by like spectators at a sporting event while the first-place trophy was snatched away from the American people.

I came to the Senate from the business community. I was chairman of a major company in this country, a company that now employs over 40,000 people. One thing I learned is that you must constantly update your product line if you want to succeed because otherwise someone else will and you will lose the opportunity, you will lose the sales, and you will lose your credibility. I find it shocking that the leaders of these giant companies failed to understand this basic rule of business. Instead of modernizing, they chose another path. They chose to spend millions of dollars on high-priced lobbyists to visit with us in our offices, asking Congress not to push them on fuel efficiency, not to urge that they move ahead with more efficient cars. Now they are here begging for our help.

Unfortunately, the disaster facing the big three is not an isolated problem. It has implications for every American. If the big three go under, millions of jobs could go with them. In my State alone, New Jersey, the auto industry employs more than 43,000 people. Thousands of manufacturers, suppliers, dealers, insurance companies, and small businesses would likely be imperiled if the automakers fall. Our economy could go into further shock absorbing that kind of collapse, especially now with the unemployment rate the highest it has been in 15 years.

So now we are being asked to decide whether we help General Motors, Chrysler, and Ford. If we agree to help them, this legislation has to have guarantees to protect the American taxpayers and for us to get this money back if we put it up at this time. For one thing, this cannot be free money. So it is essential that we only provide the big three with loans and lines of credit, not gifts, and that they have a clear plan to pay the money back. This relief package must also put strict caps on executive compensation and include an outright ban on big bonuses and golden parachutes for the highest paid managers. What is more, companies that receive funding must suspend paying any dividends to the shareholders. That is where these companies are. If we don't do something, their equity will be worthless. We have to make sure no dividends are paid until the taxpayers are paid back the money we are going to put in. In addition, they have to make a promise to finally work toward greater fuel efficiency.

To make sure automakers live up to these obligations—because we found out we cannot rely on their promises—the President should go ahead and appoint a car czar, someone who is devoting full time and attention to the resolution of this great problem. This administrator must work to get the Government repaid while monitoring the companies' efforts to make sure they stay on a path to long-term success. That means the big three must be restructured to assure competitiveness, higher quality, profitability, improved fuel efficiency, and renewed market leadership.

Doing nothing to help the big three could have catastrophic consequences for the job market and for American business leadership. However, a relief package for the big three automakers is no substitute for other stimulus provisions that our country desperately needs. We are in a severe recession, and for every month that this recession continues, more families fall behind, more small businesses fail, more life savings are lost, and more houses go into foreclosure. We have to find ways to change direction. We need bold strokes to get us out of this crisis. We need to stimulate our economy with infrastructure investments that will create jobs, increase energy independence, and get people to work quickly and efficiently. Transportation investments can give huge returns for the dollar. If we repair our schools and rebuild our crumbling infrastructure, we can create 2.5 million new jobs while reversing the declines we are witnessing. I mention these things because by doing them, we employ more people and we can be more optimistic as a country about our future.

It is my hope that we can work together, all of us, Republicans and Democrats, energetically to meet these grave challenges. I put out a plea to ask our colleagues across the aisle to join with us to show the American people that we are hard at work, that we do care about what is happening, that we are worried about families being dispossessed from their homes, that we are worried about children who cannot afford an education, that we are worried about investments that will improve the quality of life in our society. I hope they will come around.

I saw several of our colleagues on C–SPAN today at a press conference talking about why they didn't see this as something of value. Something of value is evident when work is being done, when the public is hearing a debate about this crisis, when the other side of the aisle isn't just being stubborn because they don't want to give the Democrats or whomever an advantage. We need to debate whether we can pull these companies out of the holes they are in, save jobs, and restore America's leadership in industry.

Many in our country have lost faith as they worry about their ability to support themselves and their families. They look to us here in Washington to

put aside partisanship and lead the way toward recovery. I hope we can get on with that. I hope we can get here to the floor, work as long and as hard as we have to, and with urgency, to show once again that we are supporting the interests of the American people.

It happens that these companies are in an obvious place where something terrible can happen. But what matters is that we work to do something that brings value to our country, value to our people. We have to at least consider it. I am not saying we have to pass any particular bill. We want to make sure the things we are concerned about are in there. But we have to have activity instead of stubbornness and an unwillingness to actively consider solutions to the problems facing us.

We are a great country, America, with its abundant resources and strong people, willing and eager to do their share. And as their representatives, we can do no less. So I hope we will see some activity fairly soon that tells the world out there that the Senate and the Congress are at work trying to help solve the problems instead of searching for ways to obstruct solutions.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

TRIBUTE TO SENATORS

CHUCK HAGEL

Mr. NELSON of Nebraska. Mr. President, I rise tonight to recognize and pay tribute to my colleague from Nebraska, Senator CHUCK HAGEL, who is retiring from the Senate. When I entered this body nearly 8 years ago, Senator HAGEL welcomed me, and since then we have worked together on a number of important issues for the good of our great State and our country. We teamed up to seek Federal assistance to help Nebraskans recover from natural disasters, such as floods, ice storms, and drought; to win congressional approval for naming the new FBI building in Omaha after our esteemed late colleague, Senator J. James Exon, and on numerous other Nebraska projects.

Like me, CHUCK HAGEL grew up in small communities in Nebraska. It is a special experience to be raised among Nebraskans under the wide open skies of the Great Plains. Helping hands are always nearby and opportunities seem limitless. From our families, friends, and neighbors, we both learned the bedrock values of love, of community, of faith, responsibility to others, and devotion to country. These values have been evident during Senator HAGEL's tenure in this body.

Also evident has been an important perspective he shared, one only a few Senators know firsthand, about the reality of war, gained as a decorated U.S. Army sergeant on violent battlefields in the Vietnam war and later as Deputy Secretary of the U.S. Veterans' Administration during the Reagan administration.

Here in the Senate, he represented the people of Nebraska and the United States well as a member of the Foreign Relations Committee, the Banking Committee, the Housing and Urban Affairs Committee, the Intelligence Committee, and the Rules Committee. He will long be remembered as one of our most outspoken and candid Members, as a patriot, and as one who took seriously his duties. Particularly through expressing his views on foreign policy, he fiercely advocated the constitutional principle that the legislative, executive, and judicial branches of government are equal partners.

I take this opportunity to commend him for his honorable service to our State and Nation over these many years. And whatever path CHUCK HAGEL embarks on next, I wish him and his wife Lilibet, daughter Allyn, and son Ziller only the best in their lives. It has been an honor to serve with him.

Mr. President, 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.

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

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

Mr. REID. Are we in a period of morning business or has it been closed?

The PRESIDING OFFICER. Yes, The Senate is in morning business.

CONCLUSION OF MORNING BUSINESS

Mr. REID. I ask unanimous consent that morning business be closed.

The PRESIDING OFFICER. Morning business is closed.

ADVANCING AMERICA'S PRIORITIES ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3297, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 3297, a bill to advance America's priorities.

Mr. REID. I now ask that motion be withdrawn.

The PRESIDING OFFICER. The Senator has that right. The motion is withdrawn.

ALTERNATIVE MINIMUM TAX RELIEF ACT OF 2008—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. I now move to proceed to Calendar No. 1128, H.R. 7005. 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 cloture 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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 1128, H.R. 7005, the Alternative Minimum Tax Relief Act.

Harry Reid, Debbie Stabenow, Byron L. Dorgan, Robert P. Casey, Jr., E. Benjamin Nelson, Joseph I. Lieberman, Sherrod Brown, Claire McCaskill, Carl Levin, Daniel K. Akaka, Barbara A. Mikulski, Charles E. Schumer, Christopher J. Dodd, Patty Murray, John D. Rockefeller, IV, Richard Durbin, Frank R. Lautenberg.

Mr. REID. Madam President, I ask the live quorum, mandatory under rule XXII, be waived.

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

MORNING BUSINESS

Mr. REID. Madam President, I now ask the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AUTOMOBILE CRISIS

Mr. HARKIN. Madam President, I come to the floor to talk a little about the so-called auto bailout bill that is someplace out there wandering around. We don't know where.

I was in Iowa last week and traveling around and talking with people. A couple things kept coming up from time to time. One was the money we put into the so-called TARP program, the money we gave to Secretary Paulson before we adjourned in October and went home for the campaign, the $700 billion. As we know, they got $350 billion of that, and now there is some talk that they will come back for the other $350 billion sometime, probably not this year but early next year.

As we look at what happened to that $350 billion, a lot of people are quite disturbed, and count me among them. Rather than using the money to put out to banks to help extend credit, some of the banks were using it to buy other banks and get bigger. Some banks are using this money to invest in private equity firms, buy up businesses. One came to my attention last week when I was in Iowa—a company I don't need to name—a company that had gone into bankruptcy. The owner of the company had wanted to buy it out of bankruptcy for a certain

amount. His bank was Bank of America. They wouldn't extend him the credit. So a private equity firm came in and bought the company, and their bank is Bank of America. So here is a small businessman who couldn't get his own company out of bankruptcy, but a private equity firm could. And they both had the same bank, Bank of America.

If this is what is happening with that TARP money, count me out. No more. I voted for that so-called bailout. The more I look at it, the more I wonder if I did the right thing. I wonder where that money is going. Is it going to help anyone? Quite frankly, at the time I had suggested that an important thing we ought to do is extend the Federal Deposit Insurance Corporation ceilings on independent banks from $100,000 to 1 million or to 2 million. Then the compromise came in. They extended it from $100,000 to $250,000, which was not much of anything except keeping up with inflation from the time the $100,000 was set.

My thought was always that these independent banks, quite frankly, do a much better job of investing your money and my money than those big city banks in New York. They do a better job. They are investing in small business growth, modernization of companies. To the extent they are in mortgages, they are good, solid mortgages, not tightening anything out there. So I wanted to make sure that more money would flow to independent banks around America that could get credit out to someone who wants to buy a car or perhaps refinance a house, expand a small business, invest in new technology. These are the independent banks. This is what they do. But, no, we kept that at $250,000 and put all that money into the big banks.

Well, I hope we get to address this issue again early next year, because I wish to see more of this directed to the small, independent banks. It doesn't quite seem as though the money we gave to the big banks is trickling down much. It is sort of staying in New York City, places such as that. That is where it is staying. It is right there. And private equity firms are using that money to buy up companies at 10 cents on the dollar, companies that they know, when we are through this recession and things start getting better again, are going to be good companies, have good products. But right now, because of the recession, they are in dire straits. So they are being bought up. Of course, 3 or 4 or 5 years from now, they are going to be great companies, and people bought them at 10 cents on the dollar. Quite frankly, from all appearances, it seems that some of this TARP money is going into that. We need more investigation to find out how much.

That is a prelude to what I wanted to talk about. I wanted to talk about the auto deal, this auto bill that is going around. I got to thinking about our approach earlier on the big bank bailout. We gave money to the big banks and nothing to the little banks. Not much is going out to help the consumer. Then I looked at this automobile bailout. It started at $25 billion. Then it went to $34 billion. Now I hear it is $15 billion and some billions later. The more I read about it, they are going to be back next spring for more, and it might take as much as $100 billion to get them through this period of time.

So what do we do? The first inclination is to take a big bunch of taxpayer money and put it in at the top, as we did last fall with the big banks. So now we are going to give the manufacturers all this money. I am not certain giving these manufacturers all this money is going to help them for long. We can give them all the money we want, but if no one is buying their cars, what good does it do? Quite frankly, people aren't buying cars, which is one of the major reasons we are in a recession. If we look at this chart, this is total U.S. light vehicle sales annual rate. You don't need to read all the numbers. What you can see is from November of last year until now, it is a steady decline, especially in the last couple of months, a tremendous drop in the adjusted annual rate of sales of cars. It has been coming down, down, until now it is just about dropping off the chart.

Or we can look at the monthly rate, the big three 2008 sales per month. You see kind of the same thing. My figures say that sales of the big three auto companies—GM, Ford, and Chrysler—fell from 895,000 in January to 363,000 in November. People aren't buying cars. So is the answer to give more money to the manufacturers? I got to thinking about that and thinking about what we had done last fall. I got to thinking, why don't we take some of this money we are talking about and put it in at the bottom rather than putting it in at the top—$34 billion, $25 billion, pick your number.

What if we said, rather than giving it to the auto manufacturers, let's say we are going to make a deal. We are going to provide to low-income and modest income Americans something almost like a voucher where they can go buy a new car. Why don't we give a lot of people in America $10,000 and say: Here, go buy a car, put it in at the bottom rather than the top? So I am working on legislation which I will be introducing shortly which will do that. Basically it says, if you have an adjusted gross income of $40,000 for a household, $25,000 for an individual, and if you have a car that is over 10 years old which you have had registered in your name, titled in your name before now, then you can go to an automobile dealer anywhere in the country, buy a new car, and you will get $10,000 from the Government towards buying that car. So if you bought a car for $15,000, a new car, $10,000 of it is paid for by the taxpayers of this country. Now think about this.

Also in my bill I am stipulating that to do this, you have to have a car that is older than 10 years, the new car you buy has to get at least 5 miles per gallon more than your old car, and the new car has to get at least 25 miles per gallon adjusted; that is your average fuel mileage. Look at this: 2008 vehicles sold by the big three that get 25 miles per gallon. Seventeen percent get more than 25 miles per gallon; 83 percent get less than 25 miles per gallon. I am interested in these cars in here: those getting more than 25 miles per gallon. I am interested in the low-income and modest income Americans who can't even afford to buy a new car. I am interested in helping the automobile companies.

You tell me: Is it better to take all of our taxpayer money and put it in at the top, or how about getting rid of that inventory out there of all these new cars that no one is buying? We need to build the market for cars, putting more people to work at the big three and all of the parts manufacturers and all of the others that get jobs when cars are sold. Think about the benefits of this. Let's say you are a low-income person and you are going to work and you have an old jalopy you are driving and it breaks down all the time. This happens every day in America.

You cannot afford a new car, so can you keep repairing your old one, fixing it up, patching it up? It is putting out all kinds of bad emissions. It is getting low mileage. You want to get it off the road, but you cannot afford to buy a new car. You cannot afford it. But we would like to get those old cars off the road. We would like to have people have a new car that is more fuel efficient.

How do we do it? Well, this is one way of doing it. And look at it this way: In terms of what we might see here, for example, as shown on this chart, right now a six-cylinder Chevy Malibu gets 20 miles per gallon, but the four-cylinder gets 26 miles per gallon. So it is 30 percent more—30 percent more. So people could buy a Chevy Malibu under this proposal. Those that can use the program will select the more efficient motor and will have lower fuel bills year after year. And, we will have lower pollution and we will need to import less oil.

Now, there is one other piece of this proposal: that if you do partake of this program, you need three things. You need to show your 1040 about what your adjusted gross income is and you need an old car that is at least 10 years old and you need to buy a car that gets at least 5 miles more per gallon than your old car and gets a minimum of 25 miles per gallon. It needs to be from one of the big three and made in America. If you do that, you get $10,000 towards that new car.

There is one other stipulation. That old car you have? You have to turn it in to the dealer. The Government takes possession and the Government destroys it, smashes it up, destroys it, chops it up, sells it for scrap, so we get millions of these old cars off the road.

They will not be put back into the used car market.

Low-income Americans can get a new car, and it helps the auto industry. Isn't that what we want, a demand pull? We have a demand pull, and they start selling all these cars they have in inventory they cannot sell right now.

My bill would stipulate this program could run from enactment through all of next year and end on December 31 of next year. So if we are going to be throwing $100 billion at the automobile companies, or $55 billion—no one knows—why don't we take those billions of dollars and give it to consumers, low-income consumers, to buy a new car that is more fuel efficient, has better emissions controls?

It seems to me that is what I call percolate up economics—percolate up—not trickle down economics. But no one is talking about this. Why shouldn't we be talking about it? Think about all the elderly people in this country who are retired who are driving old cars, but they cannot afford a new one. So they are stuck driving an old car they have put a lot of money into, to repair this and repair that, paying more for gasoline.

Well, here is a chance for an elderly person, a couple on a fixed income, to get a new car. Think about it. You can buy a new car. I do not know what a Chevy Malibu car costs. But you can buy a new car for about $15,000, $16,000, and $10,000 of it will be paid for by the Government. That is not a bad deal.

Quite frankly, more credit would be available for that purpose. Well, you can understand that. If I am going to buy a car for $15,000, and $10,000 of it is going to be paid for by the Government, and I only have to finance $5,000, you can get all kinds of credit for that because the car's asset is going to be worth more than that. It is going to be worth a lot more as you go down in years. So credit will be available easily for something such as that.

So, again, this bailout plan the Bush administration and congressional leaders—I have not been involved in that—this plan they are drafting fails to answer these two very big questions. In the midst of a severe recession, how do we boost demand for new cars? And, secondly, how do we give consumers compelling incentives to purchase fuel-efficient cars, especially at a time right now when gas prices are plummeting? We know they are going to come back, but right now they are plummeting.

So, again, I will be introducing the Selling Fuel-Efficient Cars Act of 2008—it might be 2009, by the time we get back in January. That is my proposal. Do not put it in at the top. No, do not give it to the big boys. Let's let the consumers—low-income and modest income Americans—buy millions—millions—of new cars made in America, made here. Get rid of all that inventory. I tell you what, I think you would see that the automobile companies could probably get lines of credit if something such as that happened. Then they could get back into the market without relying upon the taxpayers anymore.

So I guess I would sum it up by saying this: Go to your average taxpayer out there and say: Look, we are probably going to do something to save the automobile industry. Now, the taxpayer may say: I don't want to do anything to save them. Well, OK, fine. That is a legitimate point. But let's say that is not your choice. Your choice is: We are going to put money into the automobile industry. How would you like it done? Would you like it done by taking your tax money and putting it in at the top—there will be some restrictions on it; they have to do certain things such as that—putting it in at the top, or would you rather have your money go out so the little guy, the little woman, the little poor people, the retired people can buy a new car, have a little more of an asset, get the old clunkers off the road, have more fuel-efficient cars, with less bad emissions, and we will destroy all those old cars they turn in? We will destroy them, chop them up.

You take that to any average taxpayer out there, and I will bet you my bottom dollar, if given that choice, if those are their two choices—put it in at the top or put it in at the bottom for consumers—they will pick the second choice. They will want to put it in for consumers, not just give it to the big boys.

So I do not know why no one is talking about this. We should talk about it. We should talk about it more. I do not know. The bill they bring up may not be amendable. That is what I hear. But we ought to offer this. We ought to have the chance of saying: We can have a different approach to bailing out the automobile companies than just putting it in at the top.

I believe the plan I am proposing will work. It will be better for America. It will help a lot of low-income people and elderly people in our country to have a new car and we will get millions of old clunkers off the road and we will destroy them and we will have a better system for our consumers.

So for those who say we have to help the automobile companies, I say, OK, but is there only one way or is there another way? Well, I think there is another way, and I think the proposal I have laid out is the way we ought to go.

With that, Madam President, I yield the floor.

TRIBUTE TO SENATORS

GORDON H. SMITH

Mr. KOHL. Madam President, I rise today to pay tribute to my colleague, Senator GORDON H. SMITH of Oregon. We have served together on the Special Committee on Aging for since he came to the Senate in 1996. And for the past 4 years, I have had the distinct pleasure of leading the committee alongside him.

Our committee has a proud history of bipartisanship. Both the chair and the ranking member have the power to hold hearings, lead investigations, and conduct oversight for the good of older Americans. In every effort, the majority and minority staff involve each other, offering insights and inviting witnesses. The work we have done as leaders of the committee very much reflects the partnership we forged. And I am pleased to have had the opportunity to share many successes with Senator SMITH, the most recent of which—a 2-year extension of Supplemental Security Income, SSI, benefits for refugees and other humanitarian immigrants—was signed into law by President Bush this fall.

As the end of our era comes to a close, I wish to applaud Senator SMITH for his commendable leadership of the committee, and thank him for the comity he ensured as we worked together to support older workers, improve rural health care and Medicare accountability, and strengthen elder justice. I will be honored to push forth on these issues, which represent just a few of the many priorities we shared, though I will certainly regret the absence of my collaborator, Senator SMITH.

I wish Senator SMITH nothing but success and happiness as he leaves this institution. I, along with millions of older Americans, owe him a debt of gratitude for the work he has done here.

HONORING OUR ARMED FORCES

CAPTAIN ROB YLLESCAS

Mr. NELSON of Nebraska. Madam President, I rise today to honor Army CPT Rob Yllescas who was wounded in Afghanistan on October 28, 2008, and tragically succumbed to his injuries on December 1.

Captain Yllescas, who was a native of Guatemala, attended the University of Nebraska at Lincoln, where he met his wife, Dena, a native of Osceola, NE. He came to call our State home, and today I know that every one of my fellow Nebraskans is proud to claim Captain Yllescas as one of our own.

Captain Yllescas commanded B-Troop, 6–4 Cavalry of the 3rd Brigade, 1st Infantry Division, The Big Red One, where 90 American troops and more than 200 Afghan fighters were under his command. A graduate of Army Ranger School, Captain Yllescas had deployed twice before during his 10-year military career, both times to Iraq. His fellow soldiers recognized and respected Captain Yllescas's commitment to the missions he performed. Although trained as a warfighter, Captain Yllescas knew the importance of connecting with the local populations and was known to sit down with local leaders for tea and discussions of democracy.

After he was severely injured by an improvised explosive device, Captain

Yllescas was strong enough to survive a lengthy medical evacuation which eventually brought him to the National Naval Medical Center in Bethesda, MD. With Dena and other family members at his side, Captain Yllescas underwent almost daily surgeries in the hope of recovery. Dena Yllescas chronicled his hospitalization on an Internet blog which drew tens of thousands of readers. Friends, relatives and total strangers all followed Captain Yllescas's progress and prayed for his recovery. President George W. Bush made a special trip to the medical center and awarded Captain Yllescas the Purple Heart in a brief ceremony on November 10.

Captain Yllescas knew the dangers he faced and the risks he took. He also knew the importance of the work he did in the Army on behalf of his fellow Americans. He risked and ultimately sacrificed his own life so that people a world away could have the chance to enjoy the freedoms he had found in America.

Captain Yllescas is survived by his wife, Dena, and daughters Julia, age 7, and Eva, 10 months; parents, Barbara Yllescas of Lincoln and Otto Yllescas of Guatemala; a brother, Christopher of Columbia, MO; and two sisters, Jennifer Winterbauer of Lincoln and Natalie Yllescas of Guatemala.

The life and service of Captain Yllescas represents an example we can all look up to and seek to emulate. He served his country honorably and made the ultimate sacrifice in furtherance of a much larger goal. Captain Yllescas made the most of his short life, and the greatest tragedy is that now it is impossible to know what more this promising young man might have accomplished. I join all Nebraskans in mourning the loss of Captain Yllescas and in offering my deepest condolences to his family.

GULF WAR ILLNESS RESEARCH FUNDING

Mr. ROCKEFELLER. Madam President, I rise today to urge my colleagues to review the findings of the congressionally mandated Research Advisory Committee on Gulf War Veterans' Illnesses. This report, which was released a few weeks ago, confirms what many veterans of the Gulf War, lawmakers, physicians, and researchers have long suspected that the mysterious illnesses suffered by one in four gulf war veterans are real, and are a result of their exposure to neurotoxic chemicals.

It was not long after the successful conclusion of the gulf war that many of our soldiers returned home with multiple persistent symptoms including headaches, memory loss, gastrointestinal problems, and widespread pain. The symptoms were real, yet the cause and effective treatment have remained frustratingly elusive. As a leading member of the Senate Committee on Veterans' Affairs, I pushed hard for oversight hearings and continued research efforts.

Finally, 17 years after the end of that conflict, this report confirms that veterans' neurotoxin and pesticide exposure during the gulf war has been consistently found to be causally associated with gulf war illness. Unfortunately, this report also concludes that few veterans have recovered from their exposure, and treatments remain ineffective. While it is important that the cause of this illness has been established, it is unacceptable for our veterans to continue to suffer from these wounds of war.

In light of the findings of the Research Advisory Committee on Gulf War Veterans' Illnesses, there must be a continued investment in gulf war illness research. It is estimated that 175,000 to 210,000 gulf war veterans are suffering from the effects of neurotoxin exposure directly related to their time spent in the Gulf. Once again, hundreds of thousands of soldiers find themselves back in the area as part of Operation Iraqi Freedom. Therefore, it is vital that we do all that we can to adequately fund gulf war research.

We also need to learn the lesson of the value of candor and research. DOD and VA must be more open with Congress about the concerns facing our troops, from neurotoxin and pesticide exposures in the gulf war to the troubling issue of suicide, mental health issues, and traumatic brain injury, TBI, in the current conflict. We must address all the wounds of war, both visible and invisible, for our veterans who have served so bravely.

GENERIC MEDICINES

Ms. STABENOW. Madam President, I rise today to bring to my colleagues' attention a recent article in the respected Journal of American Medicine on generic medicines. The article comes at a critical time as we begin to tackle the important issue of health care reform.

There is no doubt that health care reform must include offering solutions that reduce skyrocketing health care costs. One solution to reducing costs is to increase access to generic medicines, which offer savings of up to 80 percent over brand drug costs.

The new JAMA article provides specific evidence on the benefits of generic medicines. The analysis, which included U.S. scientists reviewing more than 20 years of research on generic versus brand name drugs, found that there is no clinical evidence showing that brand name cardiovascular drugs were superior to their generic versions. Moreover, the lead author of the report noted that generics can lead to better outcomes because they cost less, which means patients can afford to take them and stay on them.

As our economy continues to struggle, Americans across the country are looking for ways to make ends meet. We hear too often about older Americans rationing their medicines and even mothers watering down infant formula to make it last longer, not knowing of the dangerous health impact this can have. A recent survey conducted by BearingPoint, Inc., and Zogby found that an alarming number of consumers admitted that they would consider denying themselves or their children health care to save money during this difficult economic time.

As we consider the critical and interrelated issues regarding the economic crisis and reform of national health care, the new JAMA study supports every effort we can make now to increase the use of generic medicines. We should remove the numerous barriers to getting generic medicines to consumers sooner rather than later, and we must prevent the creation of new barriers that will impede greater use of generics. We also should consider how to create a workable pathway for biogenerics, a pathway that actually gets these safe and affordable life-saving medicines to patients in a timely manner.

Generic medicines save consumers and State and Federal governments billions of dollars annually. At the same time, generic medicines are FDA approved, guaranteeing their safety and effectiveness.

When the new Congress tackles the important health care initiatives that lie ahead, the safety and effectiveness of prescription drugs must remain a top priority. As the medical evidence concludes, Congress can have confidence in the fact that increasing access to generic medicines will provide high-quality care at significant cost savings for consumers and the government.

I ask unanimous consent to have the article to which I referred printed in the RECORD.

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

Clinical Equivalence of Generic and Brand-Name Drugs Used in Cardiovascular Disease

A Systematic Review and Meta-analysis

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Context Use of generic drugs, which are bioequivalent to brand-name drugs, can help contain prescription drug spending. However, there is concern among patients and physicians that brand-name drugs may be clinically superior to generic drugs.

Objectives To summarize clinical evidence comparing generic and brand-name drugs used in cardiovascular disease and to assess the perspectives of editorialists on this issue.

Data Sources Systematic searches of peer-reviewed publications in MEDLINE, EMBASE, and International Pharmaceutical Abstracts from January 1984 to August 2008.

Study Selection Studies compared generic and brand-name cardiovascular drugs using clinical efficacy and safety end points. We separately identified editorials addressing generic substitution.

Data Extraction We extracted variables related to the study design, setting, participants, clinical end points, and funding. Methodological quality of the trials was assessed by Jadad and Newcastle-Ottawa scores, and a meta-analysis was performed to determine an aggregate effect size. For editorials, we categorized authors' positions on generic substitution as negative, positive, or neutral.

Results We identified 47 articles covering 9 subclasses of cardiovascular medications, of which 38 (81%) were randomized controlled trials (RCTs). Clinical equivalence was noted in 7 of 7 RCTs (100%) of β-blockers, 10 of 11 RCTs (91%) of diuretics, 5 of 7 RCTs (71%) of calcium channel blockers, 3 of 3 RCTs (100%) of antiplatelet agents, 2 of 2 RCTs (100%) of statins, 1 of 1 RCT (100%) of angiotensin-converting enzyme inhibitors, and 1 of 1 RCT (100%) of α-blockers. Among narrow therapeutic index drugs, clinical equivalence was reported in 1 of 1 RCT (100%) of class 1 antiarrhythmic agents and 5 of 5 RCTs (100%) of warfarin. Aggregate effect size (n=837) was −0.03 (95% confidence interval, −0.15 to 0.08), indicating no evidence of superiority of brand-name to generic drugs. Among 43 editorials, 23 (53%) expressed a negative view of generic drug substitution.

Conclusions Whereas evidence does not support the notion that brand-name drugs used in cardiovascular disease are superior to generic drugs, a substantial number of editorials counsel against the interchangeability of generic drugs.

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THE PROBLEM OF RISING PRESCRIPTION drug costs has emerged as a critical policy issue, straining the budgets of patients and public/private insurers[1] and directly contributing to adverse health outcomes by reducing adherence to important medications.[2,3] The primary drivers of elevated drug costs are brand-name drugs, which are sold at high prices during a period of patent protection and market exclusivity after approval by the Food and Drug Administration (FDA).[4] To control spending, many payers and providers have encouraged substitution of inexpensive bioequivalent generic versions of these drugs, which can legally be marketed by multiple manufacturers after the brand-name manufacturer's market exclusivity period ends.[5]

Generic drugs are chemically equivalent to their brand-name counterparts in terms of active ingredients but may differ in peripheral features, such as pill color or shape, inert binders and fillers, and the specific manufacturing process.[6] The 1984 Hatch-Waxman Act first authorized the FDA to approve generic drugs demonstrated to be "bioequivalent," which is defined as absence of a significant difference in the availability of the active ingredient at the site of drug action.[7] Bioequivalency can be established on the basis of the maximum serum concentration of

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the drug, the time until maximum concentration is reached, or the area under the curve based on serum concentration as a function of time.

Some physicians and patients have expressed concern that bioequivalent generic and brand-name drugs may not be equivalent in their effects on various clinical parameters, including physiological measures such as heart rate or blood pressure, important laboratory measurements, and outcomes such as health system utilization or mortality.[8-10] Of particular concern are narrow therapeutic index (NTI) drugs, which are drugs whose effective doses and toxic doses are separated by a small difference in plasma concentration. Brand-name manufacturers have suggested that generic drugs may be less effective and safe than their brand-name counterparts.[11] Anecdotes have appeared in the lay press raising doubts about the efficacy and safety of certain generic drugs.[12,13]

Little empirical evidence has been assembled to assess clinical differences resulting from the use of generic medications, so we sought to systematically evaluate comparisons of generic and brand-name drugs on these outcomes. We focused on drugs used primarily to treat cardiovascular disease, which as a group make up the largest portion of outpatient prescription drug spending.[14] We reviewed studies published from 1984 to 2008 comparing clinical characteristics of generic and brand-name drugs in this field and pooled available results. To determine the concurrent expert opinion on the subject of generic substitution, we also systematically reviewed the content of editorials published during this time.

METHODS

Data Sources

We performed a systematic search of articles published in peer-reviewed health care–related journals between January 1984 and August 2008 using MEDLINE, EMBASE, and International Pharmaceutical Abstracts (IPA) with the help of a professional librarian.

We used 3 main subject heading domains: terms relating to the type of study (for example, *clinical study, crossover, equivalen$, effect$, and outcome$*), terms relating to the products of interest (for example, *brand-name, nonproprietary, generic$, innovator$, patent$, and pharmaceutical drug*), and terms relating to cardiovascular medicine. *Cardiovascular disease* was defined as any condition affecting the heart or blood vessels, including myocardial infarction, hypertension, cardiac arrhythmias, peripheral vascular disease, and heart failure. Under the cardiovascular category, we used search terms addressing general terms (eg, *cardiovascular, heart, hematologic*), cardiovascular disease (eg, *atherosclerosis, hyperlipid, ischemia*), and classes of pertinent drugs (eg, *β-agonist, anticoagulant*). Articles containing at least 1 search term in each of the 3 main categories met criteria for the title/abstract review.

Search terms and parameters were adjusted for each database while maintaining a common overall architecture. Search results from MEDLINE and EMBASE were combined and screened for duplicate entries. Search results from IPA were handled separately because of differences in output organization.

Study Selection

Studies were included if they reported on a comparative evaluation of 1 brand-name drug and at least 1 generic version produced by a distinct manufacturer (biologic products, which are regulated differently, were excluded). The comparative evaluation had to include measurement of at least 1 clinical efficacy or safety end point, including a vital sign (eg, heart rate, blood pressure, urine output), a clinical laboratory study (eg, international normalized ratio [INR], low-density lipoprotein, urine electrolytes), patient morbidity or mortality, or health system utilization. "Clinical laboratory studies" did not include specialized assays of concentrations of the drug or its metabolites used in pharmacokinetic evaluation.

We included both randomized controlled trials (RCTs) and observational studies. We excluded case studies as well as qualitative analyses of effectiveness, pharmacoeconomic evaluations, or surveys. For this part of the study, we also excluded commentaries, essays, legal analyses, consensus statements, and letters to the editor. Studies were excluded if they were written in a language other than English or they were conducted in vitro or in animals. Although the study could take place in any location, the brand-name drug used (or an identical formulation of it) must have been approved by the FDA. Manual reference mining of articles, letters, and commentaries supplemented the search results.

Data Extraction and Synthesis

Data were extracted (A.S.K.) and checked (W.H.S.), with disagreements resolved by consensus. We assessed a number of variables related to the organization and outcome of the studies: the study design, listed source of funding, the setting (US vs non-US), the characteristics of the population studied, the number of participants, the mean age (or age range) of the participants, the clinical end points, and the self-identified source of funding (where listed). The methodological quality of the randomized clinical trials (RCTs) was assessed using the 5-point scale developed by Jadad et al.[15] The methodological quality of nonrandomized trials was assessed using the 9-star Newcastle-Ottawa scale.[16] This was done independently by 2 of us (A.S.K. and W.H.S.), with differences resolved by consensus.

Drugs were further subdivided based on whether they had a wide therapeutic index (WTI) or NTI. The federal definition of an NTI drug follows: "(a) There is less than a 2-fold difference in median lethal dose (LD_{50}) and median effective dose (ED_{50}) values, or (b) There is less than a 2-fold difference in the minimum toxic concentrations and minimum effective concentrations in the blood, and (c) Safe and effective use

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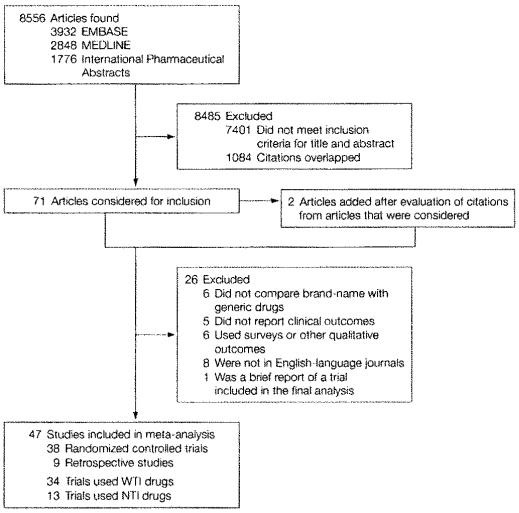
Figure 1. Study Selection



NTI indicates narrow therapeutic index; WTI, wide therapeutic index.

of the drug products require careful titration and patient monitoring."[17,18] The FDA does not formally designate the therapeutic index of drugs, but according to this definition (confirmed with review of the cardiovascular literature), relevant drugs with an NTI include the anticoagulant warfarin (Coumadin; DuPont Pharmaceuticals, Wilmington, Delaware) and antiarrhythmic drugs affecting the sodium and potassium channels (class I and class III).

To conduct a meta-analysis of included studies, we identified those RCTs where means and standard deviations for clinical outcomes were presented or could be derived from the published results. If the correlation was not reported for a crossover design, we assumed a coefficient of 0.5. We calculated a Cohen D effect size for each study with a 95% confidence interval (CI) according to established methods from information provided in the article.[19-22] The effect sizes compare the difference in effect between the study groups divided by the standard deviation of this difference. We considered an effect size of less than 0.2 to be very small, an effect size of 0.2 to 0.5 to be small, an effect size of 0.5 to 0.8 to be medium, and an effect size of greater than 0.8 to be large. Since this measure is independent of the measurement used, sample size, and standard deviation of the outcome measure, we aggregated different end points across studies to obtain effect sizes with 95% CIs for each cardiovascular drug class as well as an aggregate effect size for all studies included in the meta-analysis.[23]

Review of Editorials

We assessed the perspectives presented in editorials about the appropriateness of using generic drugs in treating cardiovascular disease during the same time period covered by our systematic review of the data. We repeated the MEDLINE and EMBASE searches using the same criteria. Two of us (A.S.K. and A.S.M.) then reviewed each title and abstract. Editorials were defined as articles expressing perspectives or viewpoints that did not include direct pharmacokinetic or clinical comparisons of generic and brand-name drugs. We also excluded systematic literature reviews, reports of surveys, case reports without substantial additional discussion, and letters to the editor.

Using content analysis,[24] 2 of us (A.S.K. and W.H.S.) then coded themes in the commentaries. We focused on the examples used (if any), sources cited (if any), and ultimate conclusions reached to categorize the editorial's viewpoint within 1 of 3 main categories: (1) those presenting a generally negative opinion discouraging generic drug substitution, (2) those presenting a generally positive opinion encouraging generic drug substitution, and (3) those presenting a neutral analysis or that otherwise made no recommendations on the issue. We determined whether the editorial addressed generic and/or cardiovascular drugs broadly or focused on a subset of drugs, such as NTI drugs or drugs in a particular class. Investigators reconciled differences in coding by consensus.

RESULTS

The search done in September 2008 identified 8556 records, 3932 records from EMBASE, 2848 records from MEDLINE, and 1776 records from IPA. After removing overlapping citations and applying our exclusion criteria, 71 articles were prioritized from those 3 sources. We added 2 studies from evaluation of citations from prioritized articles. A total of 26 citations were excluded after full review. In total, our review identified 47 articles for detailed analysis (FIGURE 1), covering 9 different subclasses of cardiovascular drugs.

Nearly half of included studies (23/47, 49%) were primarily bioequivalency studies, in which pharmacokinetic comparisons occurred along with clinical end points, and more than a third (18/47, 38%) involved only healthy, young subjects. Less than half of the articles (21/47, 45%) were published since 2000 and only 17 (36%) were conducted in the United States. TABLE 1, TABLE 2, TABLE 3, and

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TABLE 4 include all categories of WTI cardiovascular drugs while TABLE 5 highlights the 2 NTI categories, warfarin (Coumadin) and class I antiarrhythmic drugs.

WTI Drugs

Nearly all trials (31/34, 91%) comparing generic and brand-name cardiovascular drugs with a WTI were RCTs with a crossover design. These articles encompassed 7 different drug classes, although more than three-fourths (27/34, 79%) involved β-blockers, diuretics, or calcium channel blockers.

Table 1. Studies Involving β-Blockers

Source	Drugs Studied[a]	No. of Patients (Age Mean or Range, y)/ Duration	Study Design	Population (Setting)	Jadad or Newcastle-Ottawa Score[b]	Results	Listed Source of Funding
Ahrens et al,[25] 2007	Toprol XL vs 8 versions of long-acting metoprolol	49 673 (56)/4 y	Retrospective cohort study	Patients affiliated with 3 German health insurers (non-US)	8	No excess risk of hospitalization for cardiovascular events after adjustment for confounding (OR, 1.04-1.06; 95% CI, 0.89-1.21)	Generic manufacturers
Portoles et al,[26] 2005	Coreg vs carvedilol	24 (22.8)/1 dose of each with washout	RCT with crossover	Healthy subjects (non-US)	2	No significant differences in HR, BP, PR length, tolerability	Not listed
Mirfazaelian et al,[27] 2003	Tenormin vs atenolol	12 (NA)/1 dose of each with washout	Bioequivalency study: double-blind RCT with crossover	Healthy subjects (non-US)	2	No significant differences in reductions of HR, BP	Not listed
Bongers and Sabin,[28] 1999	Toprol XL vs long-acting metoprolol	52 (62)/4 wk for each product	Double-blind RCT with crossover	Outpatients with stable angina and 6 proven ST-segment depressions on ambulatory ECG (non-US)	3	Both significantly reduced ischemic events; no significant difference in reductions of HR or BP, signs of ischemia on telemetry ($P = .21$), anginal attacks ($P = .34$), nitrate use ($P = .13$), or adverse events ($P = .08$); median HR slightly less for brand-name ($P = .05$)	Brand-name manufacturer
Chiang et al,[29] 1995	Tenormin vs atenolol	23 (59)/4 wk of each with washout	Double-blind RCT with crossover	Outpatients with hypertension (non-US)	3	No significant differences in reductions of HR, BP	Not listed
Sarkar et al,[30] 1995	Tenormin vs atenolol	31 (NA)/1 dose of each with washout	Bioequivalency study: RCT with crossover	Healthy subjects (US)	2	No significant differences in reductions of HR, BP	Generic manufacturer
Carter et al,[31] 1989	Inderal vs Inderal LA (long-acting) vs propranolol	15 (46)/4 wk of each with washout	Single-blind RCT with crossover	Outpatients with hypertension (US)	3	No significant differences in reductions of HR, reductions of BP, tolerability	National Institutes of Health
el-Sayed and Davies,[32] 1989	Inderal vs propranolol vs placebo	12 (NA)/1 dose of each with washout	Double-blind RCT with crossover	Healthy subjects (non-US)	2	No significant differences in change in resting HR, SBP, postexercise values	Not listed
Sanderson and Lewis,[33] 1986	Inderal vs propranolol	1700 (68)/Half switched to Inderal LA for 4 wk; then all switched for 4 wk	Retrospective cohort study	Outpatients with multiple indications for β-blocker (non-US)	3	Increased incidence of self-reported adverse effects among group taking generic at initiation of study ($P < .001$) (difference extinguished after all switched to Inderal LA, $P = .15$)	Not listed

Abbreviations: BP, blood pressure; CI, confidence interval; ECG, electrocardiogram; HR, heart rate; NA, not available; OR, odds ratio; RCT, randomized controlled trial; SBP, systolic blood pressure.

[a] Toprol XL and Tenormin are manufactured by AstraZeneca, Wilmington, Delaware; Coreg, GlaxoSmithKline, London, England; and Inderal, Ayerst Laboratories, Radnor, Pennsylvania.

[b] The Jadad score range is 1-5 for RCTs; the Newcastle-Ottawa score range, 1-9 stars for observational studies.

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Table 2. Studies Involving Diuretics

Source	Drugs Studied[a]	No. of Patients (Age Mean or Range, y)/ Duration	Study Design	Population (Setting)	Jadad or Newcastle-Ottawa Score[b]	Results	Source of Funding
Murray et al,[34] 1997	Lasix vs 3 versions of furosemide vs intravenous Lasix	17 (65)/1 wk of each product	Bioequivalency study: open-label RCT with crossover	Outpatients with CHF (US)	3	Statistically nonsignificant differences in urine electrolytes (P = .37-.45) but wide intraindividual variability	Brand-name manufacturer
Awad et al,[35] 1992	Lasix vs furosemide	20 (21-32)/1 dose of each with washout	Bioequivalency study: RCT with crossover	Healthy subjects (non-US)	0	Statistically nonsignificant differences in urine electrolytes, urine volume (P > .05)	Not listed
Kaojarern et al,[36] 1990	Lasix vs 3 versions of furosemide	8 (25-39)/1 dose of each with washout	Bioequivalency study: RCT with crossover	Healthy subjects (non-US)	1	Statistically nonsignificant differences in 6-h urine output, urine electrolytes (P > .05)	Medical center, brand-name manufacturer
Sharoky et al,[37] 1989	Dyazide vs triamterene-hydrochloro-thiazide	30 (55)/3 wk of brand and 3 wk of generic	Bioequivalency study: RCT with crossover	Outpatients with hyperten-sion taking brand-name Dyazide (US)	4	Statistically nonsignificant differences in electrolytes, CBC, BP, tolerability (P > .05)	Generic manufacturer
Singh et al,[38] 1987	Intravenous Lasix vs intravenous furosemide	5 (20-51)/1 dose of each with washout	Bioequivalency study: double-blind RCT	Inpatients with edema of renal origin (non-US)	2	Statistically nonsignificant differences in urine electrolytes, standing and recumbent BP, urine output, tolerability (P > .05)	Not listed
Meyer et al,[39] 1985	Lasix vs 3 versions of furosemide	12 (NA)/1 dose of each with washout	Bioequivalency study: double-blind RCT with crossover	Healthy subjects (non-US)	2	Statistically significant differences in 6-h urine output (P < .05)	Not listed
Grahnen et al,[40] 1984	Lasix vs furosemide vs intravenous furosemide	8 (26)/2 doses of each with washout	Bioequivalency study: double-blind RCT with crossover	Healthy subjects (non-US)	2	Statistically nonsignificant differences in urine output (P > .05)	Not listed
Garg et al,[41] 1984	Lasix vs furosemide	16 (NA)/1 dose of each with washout	Bioequivalency study: double-blind RCT with crossover	Healthy subjects (non-US)	2	Statistically nonsignificant differences in serum and urine electrolytes, HR, BP, urine output (P > .05)	Not listed
Pan et al[42] 1984	Lasix vs furosemide	5 (NA)/2 d of each	Bioequivalency study: double-blind RCT with crossover	Outpatients with CHF (non-US)	1	Statistically nonsignificant differences in electrolytes, urine output, weight, urine electrolytes (P > .2)	Not listed
Maitai et al,[43] 1984	Lasix vs 6 versions of furosemide	6 (NA)/1 dose of each with washout	Bioequivalency study: RCT with crossover	Healthy subjects (non-US)	0	"Acceptable level of diuresis" in self-reported urine output (no statistical tests done)	Government
Martin et al,[44] 1984	Lasix vs furosemide	12 (18-42)/1 dose of each with washout	Bioequivalency study: RCT with crossover	Healthy subjects (non-US)	0	Statistically nonsignificant trend of lower urine output (P = .07-.08), statistically nonsignificant differences in urine electrolytes	Medical center

Abbreviations: BP, blood pressure; CBC, complete blood count; CHF, congestive heart failure; HR, heart rate; NA, not available; RCT, randomized controlled trial.
[a] Lasix is manufactured by Sanofi-Aventis, Paris, France; Dyazide is manufactured by GlaxoSmithKline, London, England.
[b] The Jadad score range is 1-5 for RCTs; the Newcastle-Ottawa score range, 1-9 stars for observational studies.

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We identified 9 articles that compared clinical outcomes in generic and brand-name β-blockers.[25-33] These studies involved 4 different β-blockers: long-acting metoprolol (Toprol XL; AstraZeneca, Wilmington, Delaware), atenolol (Tenormin; AstraZeneca), carvedilol (Coreg; GlaxoSmithKline, London, England), and propranolol (Inderal; Ayerst Laboratories, Radnor, Pennsylvania). Long-acting metoprolol was evaluated in 1 double-blind RCT in outpatients with stable angina and 1 retrospective cohort study involving nearly 50 000 German patients over 4 years.[25] The cohort study identified users of β-blockers from provincial administrative data in Germany and found no differences in clinical outcomes after controlling for patient sociodemographic characteristics and their co-

Table 3. Studies Involving Calcium Channel Blockers

Source	Drugs Studied[a]	No. of Patients (Age Mean or Range, y)/ Duration	Study Design	Population (Setting)	Jadad or Newcastle-Ottawa Score[b]	Results	Source of Funding
Kim et al,[45] 2007	Norvasc vs amlodipine camsylate	189 (53)/8 wk with dose increase after 4 wk if BP still elevated	Multicenter double-blind parallel group RCT	Outpatients with uncomplicated essential hypertension (non-US)	3	Significant BP improvement in both groups; statistically nonsignificant differences in tolerability ($P > .05$)	Generic manufacturer, government
Mignini et al,[46] 2007	Norvasc vs amlodipine maleate	24 (34.8)/1 dose of each with washout	Single-blind RCT with crossover	Healthy subjects (non-US)	2	Decrease in SBP, increase in HR, decrease in PR and QRS intervals, with statistically nonsignificant differences between the 2 groups	Not listed
Park et al,[47] 2004	Norvasc vs amlodipine camsylate	18 (22)/1 dose of each with washout	Bioequivalency study: open-label RCT with crossover	Healthy subjects (non-US)	4	Significant improvements in BP in both groups; statistically nonsignificant differences in electrolytes, CBC, UA, HR, ECG changes ($P > .05$)	Not listed
Saseen et al,[48] 1997	Calan vs verapamil	8 (70)/2 wk of each with washout	Bioequivalency study: double-blind RCT with crossover	Elderly outpatients with hypertension (US)	3	Generics associated with a marginally greater BP reduction than brand; statistically nonsignificant differences in HR, ECG changes ($P > .05$)	Not listed
Usha et al,[49] 1997	Cardizem vs long-acting diltiazem	12 (27)/1 dose of each with washout	Bioequivalency study: double-blind RCT with crossover	Healthy subjects (non-US)	3	Statistically nonsignificant differences in BP, HR, ECG changes ($P > .05$)	Generic manufacturer
Waldman and Morganroth,[50] 1995	Calan SR or Isoptin SR vs sustained-release verapamil	24 (NA)/1 dose of each with washout	Bioequivalency study (both fasting and after a meal): open-label RCT	Healthy subjects (US)	1	In fasting patients, statistically nonsignificant difference in BP, HR, or ECG changes; in fed patients, increased PR interval on ECG with generic ($P < .05$)	Brand-name manufacturer; brand-name, industry-affiliated foundation
Carter et al,[51] 1993	Isoptin vs 1 of 2 versions of verapamil	Youth cohort: 8 (27)/1 wk of each with washout; elderly cohort: 8 (73)/3 wk of each with no washout	Double-blind randomized 3-way RCT with crossover	Healthy subjects and elderly outpatients with hypertension (US)	2	Statistically nonsignificant differences in HR, BP, or PR intervals for youth cohort; statistically insignificant differences in elderly cohort also, except 1 generic associated with increased PR interval and (paradoxically) higher supine BP	American College of Clinical Pharmacy, medical center

Abbreviations: BP, blood pressure; CBC, complete blood count; ECG, electrocardiogram; HR, heart rate; NA, not available; RCT, randomized controlled trial; SBP, systolic blood pressure; UA, urinalysis.

[a] Norvasc is manufactured by Pfizer, New York, New York; Calan, Searle Pharmaceuticals, Chicago, Illinois; Cardizem, Marion Merrell Dow Inc, Kansas City, Missouri; and Isoptin, Knoll Pharmaceuticals, Whippany, New Jersey.

[b] The Jadad score range is 1-5 for RCTs; the Newcastle-Ottawa score range, 1-9 stars for observational studies.

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morbidities. In 1 RCT in outpatients with hypertension and 2 bioequivalency studies in healthy volunteers, Tenormin was not found to be superior to the generic version in lowering heart rate and blood pressure.[27,29,30] In a retrospective cohort study of patients switching from short- to long-acting β-blocker preparations, self-reported adverse effects occurred more frequently at baseline in patients taking generic propranolol than in those taking Inderal (34.6% vs 24.8%, $P<.001$), and the difference was noted to be extinguished after all were switched to Inderal LA (Long-Acting) (20.5% vs 17.6%, $P=.15$).[33] These patients were not randomly assigned to

Table 4. Studies Involving Other Non-NTI Cardiovascular Drugs Grouped by Drug Class

Source	Drugs Studied[a]	No. of Patients (Age Mean or Range, y)/ Duration	Study Design	Population (Setting)	Jadad or Newcastle-Ottawa Score[b]	Results	Source of Funding
				Antiplatelet Agents			
Ashraf et al,[52] 2005	Plavix vs clopidogrel	30 (49)/1 dose of each with washout	Double-blind RCT with crossover	Patients with suspected ischemic heart disease (non-US)	3	Statistically nonsignificant differences in reduction in platelet aggregation blood tests (57.8% vs 60.7%, $P = .72$)	Generic manufacturer, government
Rao et al,[53] 2003	Plavix vs clopidogrel	20 (27)/10 d	Bioequivalency study: open-label parallel group RCT	Healthy subjects (non-US)	2	Statistically nonsignificant differences in bleeding time, tolerability ($P > .05$)	Not listed
Merali et al,[54] 1996	Enteric-coated aspirin vs 3 versions of enteric-coated acetylsalicylic acid	12 (18-45)/1 dose of each with washout	Bioequivalency study: RCT with crossover	Healthy subjects (non-US)	2	Statistically nonsignificant differences in platelet function assay ($P > .05$)	Internal funding
				Angiotensin-Converting Enzyme Inhibitors			
Portoles et al,[55] 2004	Vasotec vs enalapril	24 (23)/1 dose of each with washout	Bioequivalency study: open-label RCT with crossover	Healthy subjects (non-US)	3	Statistically nonsignificant differences in BP reductions, changes in HR, effect on CBC, UA ($P > .05$)	Not listed
				Statins			
Assawawitoontip and Wiwanitkit,[56] 2002	Zocor vs simvastatin	48 (37)/8 wk of each with washout	Double-blind RCT with crossover	Outpatients with hypercholesterolemia not previously treated (non-US)	4	Reductions in LDL in both groups; statistically nonsignificant differences in cholesterol measurements, LFTs, creatine kinase levels (unpaired t test, $\alpha = .05$)	Generic manufacturer
Wiwanitkit et al,[57] 2002	Zocor vs simvastatin	43 (49)/16 wk of each with washout	Double-blind RCT with crossover	Outpatients with hypercholesterolemia not previously treated (non-US)	4	Reductions in LDL in both groups; statistically nonsignificant differences in cholesterol measurements, LFTs, adverse effects ($P > .05$)	Generic manufacturer
				α-Blockers			
Tsai et al,[58] 2007	Hytrin vs terazosin	43 (63)/6 wk of each with washout (dose change allowed at week 2)	Open-label RCT with crossover	Outpatients with BPH (non-US)	3	Improvements in urine flow and quality of life indices in both; statistically nonsignificant differences in effects on BP, HR, CBC, symptom scales ($P > .05$)	Generic manufacturer

Abbreviations: BP, blood pressure; BPH, benign prostatic hypertrophy; CBC, complete blood count; HR, heart rate; LDL, low-density lipoprotein; LFTs, liver function test results; NTI, narrow therapeutic index; RCT, randomized controlled trial; UA, urinalysis.

[a] Plavix is manufactured by Bristol-Myers Squibb, New York, New York; Vasotec and Zocor by Merck, Whitehouse Station, New Jersey; and Hytrin by Abbott Laboratories, Abbott Park, Illinois.

[b] The Jadad score range is 1-5 for RCTs; the Newcastle-Ottawa score range, 1-9 stars for observational studies.

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Table 5. Studies Involving Narrow Therapeutic Index Cardiovascular Drugs

Source	Drugs Studied[a]	No. of Patients (Age Mean or Range, y)/Duration	Study Design	Population (Setting)	Jadad or Newcastle-Ottawa Score[b]	Results	Source of Funding
			Antiarrhythmic Agents				
Amit et al,[59] 2004	Rythmex vs propafenone	119 (65)/18 mo	Retrospective cohort study (pre/post design without concurrent controls)	Patients with atrial fibrillation stable while receiving brand for ≥18 mo switched to generic (non-US)	4	Generic use associated with slight reduction in total ED discharges and ED visits for chest pain ($P < .01$); no significant differences in clinic visits, admissions, cardioversions, and rate of use of other cardiovascular medications ($P > .05$)	Generic manufacturer
Kasmer et al,[60] 1987	Pronestyl vs procainamide	10 (62)/6 doses of each separated by 1 wk of prior therapy	Bioequivalence study: single-blind RCT with crossover	Patients with ventricular dysrhythmias (US)	1	No significant change in type or frequency of VPBs on telemetry ($P > .05$)	Generic manufacturer, National Institutes of Health
			Warfarin Anticoagulant				
Handler et al,[61] 1998	Coumadin vs warfarin	57 (71)/4 wk of Coumadin and then 8 wk of warfarin vs 4 wk of warfarin and then 8 wk of Coumadin	Double-blind RCT with crossover	Outpatients with arrhythmia (US)	5	No significant differences in INR ($P = .40$), dose adjustments, adverse events ($P > .05$)	Generic manufacturer
Pereira et al,[62] 2005	Coumadin vs warfarin	7 (63)/Five 3-wk periods of each	Double-blind RCT with crossover	Outpatients with indications for anticoagulation (US)	4	No significant differences in INR measurements or variation ($P = .98$)	Not listed
Paterson et al,[63] 2006	Coumadin vs 1 of 2 versions of warfarin	36 724 (≥66)/40 mo before, 1 mo of transition, and 9 mo following switch	Population-based, cross-sectional time-series analysis	Elderly outpatients with numerous indications for anticoagulation taking Coumadin (non-US)	5	No significant differences in INR testing ($P = .93$) or hospitalization for hemorrhage ($P = .89$) or thromboembolism ($P = .97$)	Government
Lee et al,[64] 2005	Coumadin vs warfarin	35 (52)/4 wk of Coumadin and then 8 wk of warfarin vs 4 wk of warfarin and then 8 wk of Coumadin	Single-blind RCT with crossover	Patients with mechanical heart valves who received Coumadin for ≥2 mo (non-US)	3	Dose changes were rare; no significant differences in pooled INRs or frequency of adverse effects ($P > .05$)	Unknown
Halkin et al,[65] 2003	Coumadin vs warfarin	975 (70)/6 mo before and 6 mo after switch	Retrospective observational study (pre/post design)	Outpatients with numerous indications for anticoagulation taking Coumadin (non-US)	5	After the switch, INR values were lower and warfarin doses prescribed were higher, especially in those who were subtherapeutic when receiving Coumadin ($P < .01$)	Not listed
Witt et al,[66] 2003	Coumadin vs warfarin	2299 (69)/3 mo before and 3 mo after switch	Retrospective cohort study	Outpatients with numerous indications for anticoagulation taking Coumadin (US)	4	More INR values below therapeutic range with generic ($P < .001$); overall average INR decreased by 0.13 after switch; no significant differences in hospitalizations, ED use, outcomes (bleeding or thromboembolism)	Not listed

(continued)

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Table 5. Studies Involving Narrow Therapeutic Index Cardiovascular Drugs (continued)

Source	Drugs Studied[a]	No. of Patients (Age Mean or Range, y)/ Duration	Study Design	Population (Setting)	Jadad or Newcastle-Ottawa Score[b]	Results	Source of Funding
				Warfarin Anticoagulant			
Milligan et al,[67] 2002	Coumadin vs warfarin	182 (75)/8 mo before and 10 mo after switch	Retrospective cohort study	Outpatients with numerous indications for anticoagulation taking Coumadin (US)	5	No significant differences in INR (P = .3), dose adjustments (P = .41), adverse events	Insurance company
Weibert et al,[68] 2000	Coumadin vs warfarin	113 (70)/4 wk before and 10 wk after switch	Multicenter double-blind RCT with crossover	Outpatients with atrial fibrillation who received Coumadin for 1 mo (US)	4	No significant differences in daily dose (<0.5 mg/d), average INR difference (P < .08), adverse events (P = .24 for hemorrhagic)	Generic manufacturer
Swenson and Fundak,[69] 2000	Coumadin vs warfarin	210 (78)/8 wk	Prospective observational cohort study	Outpatients with indications for anticoagulation receiving Coumadin for ≥3 mo switched to warfarin (US)	6	No significant differences in INR between groups (P = .15); changes in INR of >1.0 were rare; no adverse effects or adverse events	Not listed
Neutel and Smith,[70] 1998	Coumadin vs warfarin	39 (70)/3 wk of Coumadin and then 6 wk of warfarin vs 3 wk of warfarin and then 6 wk of Coumadin	Single-blind RCT with crossover	Outpatients with arrhythmia stably treated with Coumadin for 6 wk (US)	2	Changes in INR after switching were small and not significant (P > .05); no differences in adverse effect profiles between drugs	Not listed
Richton-Hewett et al,[71] 1988[c]	Coumadin vs warfarin	55 (57)/3 mo of warfarin and then 4 mo of Coumadin	Retrospective cohort study	Outpatients with indications for anticoagulation switched to warfarin in a single hospital (US)	5	Higher rate of INR out of range (P < .001), dose changes (P < .05), clinic utilization (P < .03) with generic group; no significant differences in morbidity/mortality	Not listed

Abbreviations: ED, emergency department; INR, international normalized ratio; RCT, randomized controlled trial; VPBs, ventricular premature beats.
[a] Rythmex is manufactured by Knoll Pharmaceuticals, Delkenheim, Germany; Pronestyl, E. R. Squibb & Sons, New Brunswick, New Jersey; and Coumadin, DuPont Pharmaceuticals, Wilmington, Delaware.
[b] The Jadad score range is 1-5 for RCTs; the Newcastle-Ottawa score range, 1-9 stars for observational studies.
[c] Although conducted in the United States, this study did not involve a bioequivalent generic.

different preparations, and recipients of the generic formulation may have been different from recipients of the brand. An RCT later conducted in hypertensive patients found no clinical differences, including rates of observed adverse effects, among these 3 versions of propranolol.[31]

Eleven articles compared outcomes among patients using diuretics: 10 with the loop diuretic furosemide (Lasix; Sanofi-Aventis, Paris, France)[34-36,38-44] and 1 with the combination diuretic triamterene-hydrochlorothiazide (Dyazide; GlaxoSmithKline).[37] The furosemide studies were of lower quality, and 7 were bioequivalency studies performed in a total of 82 generally young, healthy subjects who received only 1 dose of each brand-name or generic formulation.[35,36,39-41,43,44] The clinical end points for these studies were primarily urine output and urine electrolytes. However, only 1 study, conducted in South Africa in 1985, found significant differences.[39]

Three studies of furosemide involved patients with volume overload. In these studies, generic and brand-name formulations of furosemide showed no significant clinical differences.[34,38,42] A 1997 open-label RCT with crossover in 17 outpatients with congestive heart failure who received Lasix, 3 versions of generic furosemide, and intravenous furosemide for a week's time noted wide intraindividual variability in patients' urine electrolytes that the authors hypothesized might overwhelm any minor differences in bioavailability.[34] The study of triamterene-hydrochlorothiazide was a prospective RCT in 30 patients with hypertension.[37] It demonstrated no statistically significant differences on blood pressure and serum electrolytes in patients using the medication for 3-week blocks.

Seven articles evaluated generic and brand-name versions of calcium channel blockers.[45-51] The largest, a multicenter, double-blind, parallel-group RCT in 189 patients with hypertension, found

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improvements in blood pressure and no significant differences between brand-name and generic versions of amlodipine (Norvasc; Pfizer, New York, New York) over 8 weeks.[45] Two studies reported slight, but statistically significant, differences in 1 measured clinical outcome (the PR interval on electrocardiogram), although there were no associated changes in heart rate or other clinical outcomes in either of those studies.[50,51]

The remaining 7 studies evaluated antiplatelet agents (clopidogrel; [Plavix; Bristol-Myers Squibb, New York, New York] and enteric-coated aspirin [acetylsalicylic acid]),[52-54] the angiotensin-converting enzyme (ACE) inhibitor enalapril (Vasotec; Merck, Whitehouse Station, New Jersey),[55] the statin simvastatin (Zocor; Merck),[56,57] and the α-blocker terazosin (Hytrin; Abbott Laboratories, Abbott Park, Illinois).[58] None of these studies reported significant clinical differences between the generic and brand-name versions. Two longer-term RCTs of simvastatin were conducted in Thailand. Both of these studies, of high methodological quality, showed no statistically significant differences in lowering low-density lipoprotein levels.[56,57] However, there were a number of important limitations in the studies. The 2 studies of clopidogrel used clinical outcomes related to platelet aggregation and bleeding time, not incidence of cardiovascular disease such as myocardial infarction.[52,53] The study involving enalapril was well designed but measured bioequivalency in 24 healthy subjects who received only 1 dose of the generic and brand-name forms.[55] The terazosin study, which was conducted in outpatients with benign prostatic hypertrophy, found no significant differences in heart rate and blood pressure and was of relatively high quality.[58]

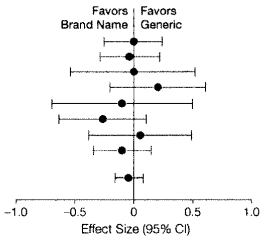
NTI Drugs

Thirteen articles analyzed generic and brand-name versions of cardiovascular drugs with an NTI. Two addressed clinical end points in treatment with class I antiarrhythmic drugs (propafenone [Rythmex; Knoll Pharmaceuticals, Delkenheim, Germany] and procainamide [Pronestyl; E. R. Squibb & Sons, New Brunswick, New Jersey]).[59,60] The study of propafenone used a pre/post design of 114 patients with atrial fibrillation receiving stable doses of brand-name propafenone for at least 18 months who were required by their insurer to switch to a generic version of the drug. This study, which included no concurrent controls, found no differences in rates of health system utilization such as clinic visits, coprescription with other medications, or rates of cardioversion in the 18 months after switching to a generic drug and a slight reduction in emergency department visits with the generic version ($P<.01$).[59] Procainamide was studied in a bioequivalency study of patients with ventricular dysrhythmias; no differences in telemetry output were found between the generic and brand-name versions.[60]

The remaining 11 articles studied warfarin (Coumadin).[61-71] In 6 RCTs or prospective studies, generic and brand-name warfarin performed similarly with respect to clinical end points such as INR, frequency of adverse events, and number of required dose adjustments.[61,62,64,68-70] Five retrospective observational studies evaluated patient INRs and clinical outcomes in patients who were required to switch from Coumadin to warfarin because of changes in coverage in diverse settings: nationwide in Israel, a Canadian province, a staff model health maintenance organization (HMO), a commercial HMO, and a municipal hospital in the United States. All of these studies used pre/post designs and found results similar to the RCTs; no significant differences were seen in clinical outcomes, including hemorrhagic adverse events or thromboembolic disease.[63,65-67] One of the cohort studies found a small but significant decrease in INR in patients using the generic drug, although it did not translate into differences in morbidity or mortality.[66] A fourth retrospective cohort study found increased health care system utilization in patients not taking Coumadin (although no differences in morbidity/mortality), but the drug used as a comparator in that study was not rated as bioequivalent by the FDA.[71]

Figure 2. Drug Class and Aggregate Meta-analyses of Trials Comparing Generic and Brand-Name Drugs Used in Cardiovascular Disease

Drug Class	No. Studies	No. Subjects	Effect Size (95% CI)
β-Blockers	6	135	0.00 (-0.24 to 0.25)
Diuretics	10	135	-0.03 (-0.28 to 0.22)
Calcium channel blockers	4	242	0.00 (-0.53 to 0.53)
Antiplatelet agents	2	50	0.21 (-0.19 to 0.61)
ACE inhibitors	1	23	-0.09 (-0.68 to 0.50)
Statins	2	71	-0.25 (-0.62 to 0.12)
α-Blockers	1	43	0.06 (-0.37 to 0.50)
Warfarin	4	138	-0.09 (-0.33 to 0.15)
Overall	30	837	-0.03 (-0.15 to 0.08)



ACE indicates angiotensin-converting enzyme; CI, confidence interval.

Aggregate Effect Sizes

Data from 30 studies contributed to the effect sizes of the outcomes. As seen in FIGURE 2, when data were pooled by drug class, in each case, the 95% CI crossed zero, and the effect size was "very small" (except for statins and antiplatelet agents, where the effect size was "small"). The aggregate effect size (n=837) was -0.03 (95% CI, -0.15 to 0.08), which indicates nearly complete overlap of the generic and brand-name distributions. These data suggest no evidence of superiority of brand-name to generic drugs in measured clinical outcomes among these studies.

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Editorials Addressing Generic Substitution

Forty-three editorials and commentaries met our criteria during the study period. The greatest number (19, 44%) were published from 1993 to 1999[9,72-89] while 14 (33%) were published from 2000 to 2008.[90-103] Twenty-five (58%) discussed cardiovascular and generic drugs broadly* while 18 (42%) focused only on cardiovascular NTI drugs.†

Of these editorials, 23 (53%) expressed a negative view of the interchangeability of generic drugs compared with 12 (28%) that encouraged substitution of generic drugs (the remaining 8 did not reach a conclusion on interchangeability). Among editorials addressing NTI drugs specifically, 12 (67%) expressed a negative view while only 4 (22%) supported generic drug substitution.

COMMENT

To our knowledge, our analysis is the first comprehensive review of the empirical evidence comparing clinical characteristics of generic and brand-name drugs used in cardiovascular disease. The 47 studies in our sample covered 8 different subclasses of cardiovascular drugs, including 2 types of NTI drugs. Measured clinical outcomes included vital signs; clinical laboratory values such as INR and urine electrolytes; adverse effects or other morbidity; and health care system utilization, including clinic and emergency department visits.

The studies in our sample concluded that generic and brand-name cardiovascular drugs are similar in nearly all clinical outcomes. Among WTI drugs, the best evidence for clinical equivalence emerged from high-quality prospective RCTs in patients with cardiovascular disease involving β-blockers, calcium channel blockers, and statins. Fewer trials compared generic and brand-name diuretics, antiplatelet agents, ACE inhibitors, and α-blockers, limiting our ability to reach similar conclusions in these drug classes.

Among NTI drugs, warfarin was the subject of the most studies addressing therapeutic equivalence. The 6 studies with a prospective design (461 patients) demonstrated similar clinical outcomes with brand-name and generic versions of the drug for multiple different outcomes, including INR, required dose adjustments, and adverse events. Among the retrospective reviews, 2 revealed transient differences in INR after changes from brand-name to generic warfarin without any differences in clinical outcomes. The only study showing specific differences in use of health care resources compared Coumadin with a version of warfarin that was not rated as bioequivalent by the FDA. Taken as a whole, these results suggest that switching from brand-name to generic warfarin products rated as bioequivalent by the FDA is safe, although it may be useful to monitor the INR of higher-risk patients more closely during a switch period.

Even though there is little evidence of important clinical differences between generic and brand-name drugs in cardiovascular disease, many editorials expressed a negative view of generic drug interchangeability and urged heightened concern on the part of physicians and patients. This opinion has not changed substantially over time; among the most recent editorials (published 2000-2008), 6 of 14 (43%) expressed a negative view of substitution. One explanation for this discordance between the data and editorial opinion is that commentaries may be more likely to highlight physicians' concerns based on anecdotal experience or other nonclinical trial settings. Another possible explanation is that the conclusions may be skewed by financial relationships of editorialists with brand-name pharmaceutical companies, which are not always disclosed.[114] Approximately half of the trials in our sample (23/47, 49%), and nearly all of the editorials and commentaries, did not identify sources of funding.

Our study has several limitations that reflect the underlying literature. The majority of the studies we identified were bioequivalence studies, which included small populations and were powered to assess differences in pharmacokinetic parameters rather than clinical outcomes. For the smaller studies, only large differences in clinical outcomes would have been statistically significant, although our meta-analysis addresses the limitation of small sample size by pooling results across studies. Most clinical outcomes were evaluated by testing a superiority hypothesis rather than noninferiority hypothesis. Statistical insignificance in the context of a superiority study does not allow one to conclude that agents are equivalent, only that there is insufficient evidence available to conclude that the agents are different. In addition, many of the bioequivalence studies included disproportionately young and healthy subjects, and there were limited data comparing generic and brand-name medications in patients with multiple morbidities and taking numerous medications. Such patients may be at greater risk of adverse events if modest clinical differences in medication formulations exist.

Most of the studies were conducted in 4 medication classes: β-blockers, calcium channel blockers, diuretics, and warfarin. The small numbers of studies in other classes limited our ability to draw class-specific conclusions about comparative safety or efficacy. Finally, most studies were short-term evaluations and did not collect the data necessary to compare long-term outcomes associated with generic drug use such as rates of myocardial infarction or death. The lack of studies evaluating clinical outcomes in generic drug use is not altogether surprising, as neither generic drug makers nor brand-name manufacturers are likely to make large financial investments over many years to pursue a research initiative that could adversely affect their business model if their hypotheses are not confirmed.

Despite these limitations, we identified numerous studies that evaluated differences in clinical outcomes with generic and brand-name medications. Our results suggest that it is reasonable for physicians and patients to rely on FDA bioequivalence rating as a proxy for clini-

*References 72, 76, 77, 80-84, 86, 87, 90, 93-95, 97, 101-110.
†References 9, 73-75, 78, 79, 85, 88, 89, 91, 92, 96, 98-100, 111-113.

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cal equivalence among a number of important cardiovascular drugs, even in higher-risk contexts such as the NTI drug warfarin. These findings also support the use of formulary designs aimed at stimulating appropriate generic drug use. To limit unfounded distrust of generic medications, popular media and scientific journals could choose to be more selective about publishing perspective pieces based on anecdotal evidence of diminished clinical efficacy or greater risk of adverse effects with generic medications. Such publications may enhance barriers to appropriate generic drug use that increase unnecessary spending without improving clinical outcomes.

Author Contributions: Dr Kesselheim had full access to all of the data in the study and takes responsibility for the integrity of the data and the accuracy of the data analysis.
Study concept and design: Kesselheim, Misono, Shrank.
Acquisition of data: Kesselheim, Misono, Lee, Shrank.
Analysis and interpretation of data: Kesselheim, Misono, Stedman, Brookhart, Choudhry, Shrank.
Drafting of the manuscript: Kesselheim, Misono, Lee, Shrank.
Critical revision of the manuscript for important intellectual content: Kesselheim, Misono, Stedman, Brookhart, Choudhry, Shrank.
Statistical analysis: Stedman, Brookhart, Choudhry.
Obtained funding: Kesselheim, Shrank.
Administrative, technical, or material support: Kesselheim, Misono, Lee, Shrank.
Study supervision: Kesselheim, Shrank.
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Additional Contributions: Paul Shekelle, MD, PhD (Veterans Affairs Greater Los Angeles Health Care System and RAND Corp), provided comments on an earlier version of the manuscript. Jerry Avorn, MD (Brigham and Women's Hospital and Harvard Medical School), helped conceive the study and provided comments on the design and manuscript. Neither received compensation.

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TRIBUTE TO ILYSE SCHUMAN

Mr. ENZI. Madam President, it is one of the great traditions of the Senate, when we pass legislation that will change the direction of the Nation and our economy, that we pause for a moment after final passage to acknowledge the efforts of those members of our staffs who worked so hard behind the scenes to help us bring the matter to the floor for a vote.

We all have great staffs, people who are committed to the future of our country and to making a difference that will last for generations to come. Although that is true, I have always said that my team ranks with the best. In fact, if there were an Olympic event for staffs, I have no doubt my team would win the gold medal.

Because of the role they play in our work, they have a tendency to get noticed by the groups and organizations that are involved in the issues that come before the House and the Senate. The working relationship they develop with our staffs often leads to increased opportunities and sends some of our best workers off the Hill and into the private sector.

When that happens, I like to believe we are not losing a staffer; we are just expanding our field of influence. Still, when you lose someone who has played such a key role in the day to day work of our offices and the Senate, it is a great loss to the team as a whole.

I thought about that when I learned of Ilyse Schuman's plans to leave the committee and take a leadership position with the Medical Imaging and Technology Alliance. Although I was sorry to hear the news, I was pleased to know that she would be working for such a well respected and effective organization. It will be another great opportunity for her and I know she will make the most of it.

I can say that with certainty because that is the kind of person Ilyse Schuman is—thoughtful, reflective and committed to the future of our country and our health care system. Her interest in the problems we face as a nation and her ability to work with staffs on both sides of the aisle to find solutions that work and make sense was one of the principal reasons why we hired her several years ago.

I remember standing on the Senate floor earlier this year, when we passed the Genetic Information Nondiscrimination Act. This groundbreaking legislation will unlock a door that will allow people to get the kind of genetic testing they need to give them an advance warning about something that might happen to their health down the road if they don't take the steps today to prevent or at least weaken its effects. The legislation we passed that day will ensure the results of our tests will be used for our benefit, and will not be allowed to be used against us in our employment or our insurance coverage.

That bill had been a key part of the committee's legislative agenda for 6 years. That was just about the time when we hired Ilyse Schuman. In my remarks on the bill's final passage, I said that I had often heard it said that it usually takes 6 years to get an important idea through the Senate. I said I wasn't sure I believed it, until I realized that she had been working on the bill for 6 years and that fact seemed to prove the idea has some merit.

I should have known that if it were possible to get the job done, Ilyse would have been a part of it because she has a history of excellence and making the impossible possible. She graduated cum laude from Tufts University and then earned her J.D. from the Georgetown University Law Center—with honors. More recently, she was named a John Stennis Congressional Staff Fellow for the 109th Congress.

She had been working as the senior counsel at a firm in Chicago when someone we interviewed suggested we talk to her about a position on the committee. She hadn't given much thought to government service, but the time must have been right because we were very pleased when she decided to pack her bags and come to Washington to begin this chapter in her life.

Now, as it comes to a close, Ilyse has a lot to look back on with a great deal of pride and personal satisfaction. Among the legislation she helped to shepherd through the legislative process, in addition to the Genetic Information Nondiscrimination Act, was the Food and Drug Amendments Act, Health Information Technology legislation, FDA Drug Safety Reform, the Pension Protection Act, Head Start, Patient Safety, the Workforce Investment Act, and many more. In addition, she has played a vital leadership role on the Committee and served as more than its staff director, she has been more of a coach who helped the whole team to work together and function as a more efficient unit. She is going to be very difficult to replace. In fact, she is one of those people who can't be replaced. We will find someone with special talents and abilities to take over the responsibilities of our new staff leader, but she will be missed and remembered with great appreciation for her outstanding efforts and her winning personality and attitude.

Ilyse was once asked about her position on the committee and how much it meant to her to have a chance to do something that would last, something that would make life better for us all. She said it meant a lot to her to be a part of the work on ''the issues that are most personal to everyone's lives.'' She saw it as ''an opportunity to have a huge impact on the quality of life across the country.''

Ilyse knew that to have the impact she hoped to achieve, she would need to forge good working relationships with staffs on both sides of the aisle. Fortunately, it was one of her strong suits. Ilyse knows how to disagree without being disagreeable. That was important because, at the end of the day, when she went home after a long day's work, she left with the respect of her colleagues in every office she worked with, a respect that was mutual and will prove to be lasting.

Now Ilyse is leaving to take on another exciting adventure in her life. Diana and I will miss seeing her every day because she has become part of our extended family. We wish her the best of luck in this and in all of her future endeavors. In the months to come, I know we can continue to look to her for her leadership, direction and guidance on our efforts to make our Nation's health care system better, more effective, more efficient and more responsive for all Americans. It is a heartfelt goal Ilyse is determined to achieve and I know she will continue to be a part of that effort in the years to come. Knowing Ilyse and the operation of the Senate, I would say that we will be seeing the results of her efforts in just about 6 years.

I won't say goodbye, Ilyse. I know I will be hearing more from you and about you in the months and years to come. So I will just say keep in touch and we'll all look forward to seeing you around this special campus on the Hill, I hope, for a long, long time.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Madam President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

This in response to your request for stories from Idaho citizens about the impact of rising gas prices on our lives. We are fortunate in that, though the increased prices are a drain, they do not put us in financial jeopardy. However, we are taking steps to decrease our use of gasoline. We both have bicycles and have started using them to run some of our errands, visit friends and, on occasion, travel to and from work. We consolidate errands to avoid multiple trips. When driving I avoid quick stops and starts and

get off the gas when on a down slope. If I use a drive up and will have to wait, I turn off the engine. We never let our vehicles idle in cold weather to warm up. This is a waste that is endemic in Idaho.

As regards for suggestions for ways the government can help, I agree with supporting alternative energy sources; however, I do not see how nuclear energy will offset gasoline use. My understanding is that part of our problem is lack of sufficient numbers or modern refineries. With the oil companies enjoying record profits, they should be dealing with this issue. It does not make sense to me for the taxpayer to foot the bill for this. More can be done to support development of non-food sources of ethanol, e.g. switch grass and other non-food plants; and waste products from wood products industries and crop waste such as corn and other grain stalks. Support is needed for development of better public transportation such as buses and light rail. Use of roundabouts instead of signals or stop signs at intersections will also consume less fuel and produce less pollution. I am not sure how you provide incentives to people for conserving energy in their driving practices but anything that can educate people about how to conserve would probably be useful. One positive about the high cost of gasoline is that people are finally thinking about how they can conserve. Gas has been so cheap that we have been very careless in our usage and neither the populace nor the government has had much incentive to conserve through driving practices, design of vehicles or development and use of public transportation. I love the convenience of my car but I think all of us are going to have to look at some lifestyle changes if we want to decrease our dependence on foreign oil.

Thank you for soliciting input from your constituents.

FAYE, *Boise*.

Energy costs have taken it is toll in our household. Both my husband and I have gotten second jobs part time just to make ends meet. If it were just the hike in energy costs we would have to say to ourselves grin and bear it. But everything across the board has increased.

Soaring food prices: What was an average of $70 per week has now increased to $140–$150 per week. And it is increasing each week. Standard monthly bills have increased by at least $3 per month. It might not seem much of an increase but there again, across-the-board monthly increases add up over the months.

We have definitely changed our life styles. No dining out. We drive only when we have to. And when we do have to go out, we make sure we do everything we have to do in one trip. We make sure lights are turned off when not in use, and we refrain from using the air conditioner. Laundry day is now only twice a week. We try to BBQ as much as possible so we can save by not using our gas range.

We have never seen things as bad as they are today. We do not except any hands-outs from our government, but there are millions of people who are suffering right now and were afraid millions more to follow.

Where is the government in all of this? Why cannot government solve these problems? We Americans pay taxes, but it would seem our tax money is being mismanaged. It is plain to see this government does not have its peoples' best interest at heart. Congress does not have their priorities straight. Energy and the economy should come first! Without middle-class Americans, where will the government be? Sad as it is, middle-class America is fading!

Government (Congress) needs to stop discussing the problems and start taking action now. Wind power, nuclear power, with all the hi-tech advantage this nation holds, they cannot find a way? Stop playing the blame games and work together to solve these and many other problems.

THE MARSHALLS, *Meridian*.

We are a small family living what we consider to be a decent life in a rural Idaho community. The increasing gas prices have affected the costs of other things, such as groceries, to increase in price as well. In an effort to keep the added costs from impacting our standard of living too much we have taken a few steps, such as:

Attending church closer to home.

Limiting shopping trips to a bare minimum.

Watering lawns less, so that it will grow less, requiring less mowing.

Driving a 40 mpg car, when we'd rather run something more comfortable and safer.

Passing on taking trips to see family; our nearest family members are 350 miles away.

Buying things locally, as opposed to shopping at places like Costco since the cost of a trip to Costco down by Boise is very costly.

Buying a whole beef, as opposed to supermarket cuts, saving a couple of dollars per pound, depending upon the cut.

Buying items in bulk, including flour, detergents, etc.

Baking our own brownies, cookies, rolls, and breads. The cost of grain products has gone very high, and bakery products have increased substantially.

Making sourdough waffles and pancakes to save on the cost of pancake flour.

Making our own ice cream.

Making our own fruit rollups.

Foregoing physicians visits as much as absolutely possible, passing on new eyeglasses.

Taking Benadryl as opposed to prescription allergy meds, even though the Benadryl makes us drowsy and does not work as well—the cost is much lower.

Making our own pastas.

Making homemade salads as opposed to buying deli salads.

Doing our own haircuts, hair coloring, and perms at home, using home products, instead of going to the salon or barber shop.

Quit dining out, all meals can come from home—this includes packing lunches.

Mowing our lawn ourselves, instead of hiring a neighborhood boy to do it for us.

Giving up ''date night'', and movies, both in theater and rental movies.

Staying home more.

Changing our son to a less expensive day care.

If things get worse we will have to look at other things, such as:

Growing a garden, and canning/freezing fruits and veggies.

Putting in several fruit trees.

Buying a whole pork, instead of retail cuts.

Fishing to put in freezer for future meals.

Raising chickens, both for eggs and meat.

Sewing some of our own clothing items.

Walking to work—a round trip including daycare is about 4.5 mile.

These higher costs have us very concerned; something must be done to bring things back into balance.

If many other people adopt habits like we have, and are considering, there will be a ripple through effect of job loss. We are spending less in the grocery store, less from the butcher, less with diners, delis, movie rental places, theaters, the bakery, barber shop and beauty shop, just to mention a few. We are also buying fewer ready to eat or cook with products, and are making our foods from scratch.

If we start actually growing and raising our own foods the effects will ripple through the economy as well—especially if lots of other people feel the need to do the same.

We are not living in ''pioneer'' times, but we may have to live like we are if prices continue to spiral out of control. Going into debt just to cover daily living expenses is simply not an option.

Please encourage your fellow members of Congress to require the development of domestic oil.

Furthermore, please press a mandate on the production of hydrogen fueled vehicles, with the availability of fueling sources mandated as well. We need to be getting ourselves weaned off of the fossil fuels—since they cannot possibly last forever.

SHARENE, *Weiser*.

Four of us are employed at Grounds Maintenance Equipment, Inc. in Boise, by the fairgrounds. We all live in Emmett. Three commute together. Last week we all shifted to a 10-hour, four-day week, because the commuting costs (gasoline) left us no choice.

There is no quick solution. It seems that the Left cannot do more than one thing at a time. They cannot promote conservation—a worthy enterprise—and consider drilling, in the same year. It is my opinion that there is a long-term agenda being promoted by the Dems to turn America into a socialist dictatorship. I cannot envision any other reason they do what they do.

MEL and ROSIE, *Emmett*.

Thanks for the email. You are completely correct—high gas prices are making things difficult. Although, gas is only one of the many things that are getting more and more expensive. Food costs are going through the roof. The only thing that is not rising fast is, unfortunately, our wages. I would like to see our leadership make a real effort to raise wages to a livable level. A livable wage in Idaho is like $10 something per hour, higher in counties like Ada and Blaine.

Unfortunately, I believe your policy solutions are sadly misguided. Domestic drilling will not significantly reduce prices for the consumer. Nuclear energy is among the most expensive ways to produce energy. It relies on taxpayer dollars to make it economically viable. And both are terrible for the environment. I hope you take the time to reassess these policies.

DOUG.

My husband and I live very frugally. Due to his brain injury, we have to wait incredible lumps of time for Social Security Disability appeal. He and I are in agreement that the ''energy crisis'' is a social agenda of the green movement that has been in place for decades.

With that said, we are in favor of nuclear energy that is a proven benefit and drilling for our domestic oil. Often the legislators and others opposed to such drilling say it would be too long to build refineries to find relief. I believe that the American people would be patient with the time it takes to build them and be willing to suffer the gas prices knowing we had hope to sustain our own oil provisions and not be dependent on foreign oil.

YVONNE and MARK, *Meridian*.

Thank you for inviting our comments on this problem. My wife and I retired in 2003 with a financial plan that made a lot of sense: we sold our home and bought a motor home, which we used for two years to see some of these great United States. Then we lived in it in Emmett while building our retirement home here. We cleaned up the motor home to sell it, which was an integral part of our plan because the payments on it were $1200 per month.

You probably guessed the rest of the story. We have a large mortgage on our new house

and our investments have performed less well than we might have hoped. But the biggest problem we have is that in a year and a half we have not had a single offer on our motor home. Friends tell us we will not be able to sell it. We took it to Bretz RV in Missoula, MT, one of the leading sellers of RVs including consignment sales. That was last August. We have dropped the price below what we owe on it and still cannot get any offers. The price of diesel is what is causing the market for motor homes to dry up. In short, our retirement cash flow is in trouble due to fuel prices, not to mention our costs have skyrocketed.

We are thoroughly disillusioned by our government's refusal to tell the environmentalists to go pound sand and let our oil companies develop the enormous oil and natural gas reserves we have, while competitor nations drill for our right off our shores. The ''pristine parkland'' in ANWR is a hoax—we have seen pictures of the small area where drilling rights were sought. We need nuclear power plants to be built as quickly as possible, oil refineries as quickly as possible, and the development of those resources.

Yes, alternative energy sources are a good thing, and we need eventually to phase out the gasoline auto, but this takes time. The government is responsible for our predicament, in our opinion, and needs to start putting the needs of America ahead of politics.

TIM and PEGGY, *Emmett*.

Thank you for giving us an opportunity to share our story with you. We are most definitely feeling the effects of the ever-increasing costs of fuel. We are a family of six. We own three cars and have four drivers. Our college-age daughter chose a summer job that was close to home just so she can save on gas money. We have been discussing how we will make ends meet with the rising fuel costs. We have decided to pull our youngest children (ages 11 and 13) out of piano lessons. They were in their 3rd and 5th year respectively. Our daughter, Katie, may have to give up flute lessons. Katie has been volunteering at St. Luke's Hospital for the past two years. She was hoping to volunteer there through her senior year of high school, but it may soon cost too much to get her there and back. Our son is volunteering at the Garden City Library. He is enjoying it, but we are uncertain how long he will be able to participate once again because the amount it costs us to get him there. We are a family that believes in volunteering and giving of our time and resources—but there is only so much we can do. We have recently switched to a doctor in Eagle just so we would not have to travel into downtown Boise. We evaluate every time we plan to go somewhere—can we really afford the gas? We have even denied our kids the opportunity to go to mid-week youth group at church because it is in Southeast Boise—too far to drive. We feel badly for the other families/organizations our decisions will affect—two moms who give piano/flute lessons from their homes, the volunteer office at St. Luke's, the library, etc. We do not have the luxury of buying newer more fuel-efficient cars; we must do with what we have.

We are extremely frustrated with Congress over its inability to do anything constructive to solve the problem, which for the most part they are responsible for causing. We support drilling for our own oil both offshore and in ANWR. We support building more refineries. We also fully support the expansion of our nuclear energy facilities, mining of coal and oil shale in addition to renewable forms of energy such as wind and solar. More hearings and investigations on ''Big Oil'' and speculators is a waste of time along with taxing ''windfall profits''. Pleases urge your peers to do something constructive to solve the problem.

Thanks again for this opportunity.

KELLY and KRISTI, *Eagle*.

I work at the INL but commute 45 minutes both ways to work; my husband also works in Idaho Falls. However, we work at different times—my work begins at 7:00 and off at 4:30. He starts at 10 and off at 6—so we both drive. At the present time, we are considering selling our home of 35 years and moving closer to Idaho Falls. We are spending over $110 a week with the two cars making the trip to Idaho Falls five times a week. I have started a car pool with a few employees that will help some, but the fact is—it hurts. For the first time in many years, we are finding ourselves in financial distress.

We do not want to sell the house, we have raised our kids there—we love it. And, we do not want to sell it at this time when the market is such that we will not get from it what it is worth.

There has to be a better way. I hope you can find it. Good luck.

UNSIGNED.

We should not lean on foreign oil providers to lower their prices when we have enough oil under American soil to last for hundreds of years. The so-called environmentalists have caused this massive problem which has the possibility to sink America.

I like the scene of oil rigs on the horizon, it is a beautiful landscape. I do not believe the so-called environmentalists care one whit about our environment, they are out to see America die, and they are well on their way to accomplishing their goal.

A word to the wise.

CURT, *Wilder*.

As a country, we had plenty of time to both prepare for and possibly prevent the situation we are in. However, we cannot change the past and now we are going to march into a new and different world. I wonder whether we will be smarter this time.

Frankly, I see the silver lining in the increased cost of energy. We are going to have to incentivize the discovery and use of new, sustainable forms of energy. Maybe we'll think long term instead of searching for the short term fixes.

We will get a chance to pay more attention to our local communities rather than driving away for fun or shipping produce (and water!) from the other side of the planet. We will get a glimpse of how a large part of the rest of the world lives. We'll start appreciating and caring for what we have rather than strive for ever increasing heights of consumption. We'll ride bikes, fix sidewalks, meet neighbors and save our energy use for when using energy is really necessary. Maybe we'll even revisit one of the most taboo of subjects—whether we should curb population growth. (Just think—1/100th the population means 100 times the resources.)

So, there you have it. The energy ''crisis'' is of our own making. We had our chances, but maybe now we'll pay attention. The question is whether the transition to a world of scarcity will be peaceful or turbulent. In times of stress, those with the most resources are often the least affected, yet they often control positions of leadership. By the way . . . if you thought an energy shortage was a big thing, wait till the water crisis hits. It is going to be a lot worse.

GEORGE, *Idaho Falls*.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

TRIBUTE TO ALBERT CORCOS

• Mr. KENNEDY. Madam President, it is a privilege to bring to the attention of my colleagues the remarkable record of humanitarian work and numerous accomplishments of Albert Corcos, one of the truly great humanitarian leaders of our time

He is now 98 and lives in Concarneau, France, with his loving wife Camille. He recently completed his memoir spanning his incredible career, during which he was awarded the Legion of Honor in France and a distinguished Royal Award from Thailand.

I first became acquainted with Mr. Corcos's humanitarian activities when I was serving as chairman of the Senate Judiciary Subcommittee on Immigration and Refugees in the 1970s. In fact, Mr. Corcos had begun his extraordinary career a generation earlier, by coordinating the international effort in 1945 to resettle millions of displaced persons and refugees uprooted by World War II. He was a young man of immense energy and compassion and had been persuaded to use those talents to work with the new United Nations Relief and Rehabilitation Administration to help refugees and displaced persons in Europe. He had actually had an even earlier role, performing the hazardous duty of a young courier for the French resistance during the war.

The good work that best exemplifies Mr. Corcos's compassionate concern for the disadvantaged was his indispensible role in coming to the aid of the Indochinese refugees. After an already very full career with the International Organization for Migration and its predecessors working to resettle the displaced, he blazed a unique trail in developing and implementing the initial response to one of the great humanitarian crises of the time—the international response to the exodus of 1.5 million Indochinese refugees in the 1970s.

As Indochinese refugees flowed into neighboring countries in Southeast Asia, in 1975, it was a monumental challenge to find opportunities for their resettlement in the United States and other Western nations and to provide the logistical support to make it possible. It was vital to move the refugees out of the region rapidly, in order to keep the doors open in the first asylum countries of the region. The goal was to prevent the land borders from being closed, which would have forced refugees to take to the sea in desperation and cost thousands of lives.

Mr. Corcos postponed his retirement and put together and oversaw the system for processing and transporting refugees to the United States and other countries for resettlement. The challenges were extraordinary. The refugees were strewn across dozens of camps from northern Thailand to Indonesia, Hong Kong, Malaysia, and the Philippines. Each refugee had to be documented, fingerprinted, photographed, given medical examinations and issued transit papers. The refugees

then had to be booked on flights to resettlement countries, even as air commerce shrank in Southeast Asia after 1975. The creativity, courage, and perseverance of Mr. Corcos and his team in making this process run smoothly was amazing and won him well deserved international praise.

Mr. Corcos came out of retirement again in 1979 to deal with a second surge of Indochinese refugees. This time, the numbers were even more enormous, but he was skillfully able to replicate the process of earlier years on a much larger regional basis.

Mr. Corcos is a true humanitarian and made a vast difference in the lives of countless refugees fleeing from Vietnam, Cambodia, and Laos in the 1970s. He is a legend among those who created and benefitted from the Indochinese Refugee Program, and his legacy will forever be remembered.●

ADDITIONAL STATEMENTS

TRIBUTE TO COLONEL LISA LEONARD AND LIEUTENANT COLONEL RANDY JOHNSON

● Mr. BOND. Madam President, we all know it would be impossible to do our jobs without the assistance of many dedicated professionals staffing the legislative liaison offices for all branches of the U.S. Armed Forces.

Today, I pay tribute to COL Lisa Leonard and LTC Randy Johnson who joined the National Guard Bureau's Office of Legislative Liaison as the Army and Air Liaison Officers and together collectively served 12 years and are now, unfortunately for us, retiring at the same time.

Colonel Leonard and Lieutenant Colonel Johnson have served competently and well at a pivotal time in the history of the National Guard. Now, more than ever, America relies on the National Guard both at home and abroad. Since 9/11 more than 200,000 Guard troops have left their homes, their jobs, and their families to participate in the global war on terror. The National Guard has provided as much as half of the combat force and 40 percent of the total force in Iraq. Guard troops are also called upon to respond to natural disasters at home like Hurricanes Gustav and Ike. Understanding these dual missions is a job in itself.

During Lisa and Randy's tenure, the National Guard has also had to weather a controversial base realignment and closure, BRAC, round and several other major legislative battles concerning relative troop strength, equipment levels and the ability of the Guard to participate in major Pentagon decisions.

Lisa's and Randy's contributions to the Senate began with their natural ability to establish personal relationships with staff while telling the story of the National Guard. They earned the respect of Members and staff on both sides of the aisle with their expertise, strong work ethic, and dedication to the job.

These are truly the unsung heroes of the legislative process, faithfully providing information, expertise, and analysis on behalf of the National Guard on myriad national security and homeland security issues.

We wish them both well in their well-earned retirement from Active Duty and from this assignment. They will be missed.●

TRIBUTE TO THOMAS W. RICHARDSON

● Mr. COCHRAN. Madam President, Mr. Thomas W. Richardson of the U.S. Army Corps of Engineers will soon retire with over 37 years of exceptional service to the U.S. Army Corps of Engineers. He is member of the Senior Executive Service and is the Director of Corps' Engineer Research and Development Center Coastal Hydraulic Laboratory. His accomplishments and dedication to the Corps of Engineers' laboratory community and the Army are exceptional and will have a significant and long lasting positive impact on this Nation.

Following 3 years of service as a lieutenant in the U.S. Army Corps of Engineers, Mr. Richardson began his Army civilian career in 1974 as a research hydraulic engineer at the U.S. Army Engineer Waterways Experiment Station, in Vicksburg, MS. Through the 1970s and early 1980s he was a principal investigator for research studies on dredging systems for beach nourishment for offshore sources and an assistant investigator on a research study to develop new systems for bypassing sand past tidal inlets. During this time he designed and constructed the world's first portable, land-based hydraulic sand bypassing system, which was delivered to the Corps of Engineers North Central Division as an operational plant. A systematic approach became available to address a major national concern with both economic and strategic aspects; that of bypassing sand to preserve beaches and to maintain harbor channels.

In 1983, Mr. Richardson became chief of the coastal structures and evaluation branch, Coastal Engineering Research Center where he supervised 16 researchers specializing in functional design and performance of coastal structures, dredging and sand bypassing systems, geomorphic evaluation, and empirical design methods for coastal projects. From branch chief he quickly moved up to division chief in 1985 and served in that capacity for 14 years, first as chief of the Engineering Development Division and then as the Chief of the Coastal Sediments and Engineering Division. He directed numerous comprehensive research and development investigations, and studies of coastal processes, sediment transport, shoreline change modeling, beach fill design methods, prototype systems design and development, and functional design of coastal projects. Notably, he developed general technical approaches and R&D programs that produced the extraordinarily successful and patented CORE–LOC concrete armor unit and the Scanning Hydrographic Operational Airborne LIDAR Survey—SHOALS—system.

Mr. Richardson assumed the duties of acting assistant lab director in January 2000. In June of that same year, he was elevated to acting director, CHL. Mr. Richardson joined the Senior Executive Service in March 2002 upon becoming director of the CHL.

Under the leadership of Mr. Richardson, the Coastal and Hydraulics Laboratory directly supported the Army transformation, civil works strategic plan, global war on terrorism operations, and high priority civil works operations. In addition, CHL addressed critical levee issues for the Department of Homeland Security by developing a unique system to rapidly repair breaches in levees caused by natural phenomena or terrorist attack.

Throughout his career, Tom Richardson has demonstrated a profound commitment to the Army, the Corps of Engineers, and the Nation. He is a consummate professional whose performance in over 37 years of service has personified those traits of competency and integrity that our Nation has come to expect of its senior civilian leaders. I congratulate Mr. Richardson on his distinguished service to the U.S. Army and the Nation.●

REMEMBERING RYNE DOUGHERTY

● Mr. LAUTENBERG. Madam President, I wish to pay tribute to Ryne Dougherty, a young man from Montclair, NJ, whose young life was tragically cut short on October 15. He suffered a fatal brain hemorrhage while playing football, the sport about which he was so passionate. Although he was only 16 years old, Ryne made a tremendous impact on his teammates, friends, and community. He was a caring and loving young man who displayed a special kindness and a deep commitment to his friends and family. An honor student and linebacker on the Montclair High School Junior Varsity football team, Ryne also found time to fix computers to benefit underprivileged families. Ryne was admired by all who knew him—over 1,000 mourners gathered together to remember him and comfort each other.

Ryne worked toward his goals with steadfast determination, eager to succeed. His football coach said that Ryne never sought glory or praise; he came to the field every day prepared to work his hardest out of respect for his teammates and love for the game. Family and friends said that Ryne always wanted to talk about football. He was always ready with the latest NFL statistics and greatly enjoyed playing football video games with his friends in his spare time. To honor Ryne, the New York Giants held a moment of silence during their game on October 19, a fitting tribute for a young fan.

Ryne was a mentor and an inspiration to his teammates. Many friends sought to follow his example: succeeding in school and working diligently on the field all while keeping a smile on his face. During Ryne's funeral, Rev. Gerald Whitaker asked the mourners to imagine that Ryne had made a game-saving tackle to end a big game against their rival high school. The crowd responded with a thunderous ovation, a fitting way to honor Ryne.

Finally, I would like express my sympathy to Ryne's family. I hope that they will be comforted by their many positive memories and by the outpouring of support from the Montclair community. His family decided to donate Ryne's organs, yet another way that Ryne has touched the lives of others. I am proud to honor him today.●

HONORING NEWLAND NURSERY AND LANDSCAPING

● Ms. SNOWE. Madam President, as we approach the holiday season, I wish to recognize a small business from my home State of Maine that has made its mark by its commitment to giving back to the local community. NewLand Nursery and Landscaping of Ellsworth has been providing Hancock County with quality landscaping services and floral arrangements for almost two decades, while simultaneously maintaining its status as an involved member of the greater Ellsworth area.

Beginning its landscape design operations in 1985 with a mere $600, a pickup truck, and some tools, NewLand has continually expanded its services to become a well-known name for its gorgeous flowers, versatile garden products, and impressive landscaping business. A reputable source for gardening knowledge, customers in Downeast Maine have relied on NewLand for creative ways to enrich their home gardens or fashion a welcoming landscape at their business.

NewLand has designed some of Maine's most recognizable landscapes, from Bangor to Calais. Many locals and tourists alike will recognize NewLand's exquisite work at the Jordan Pond House in Acadia National Park, where the firm designed the tea garden, plantings, and other aspects. Additionally, NewLand has developed landscapes at the Mansfield baseball field in Bangor, the University of Maine's Hutchison Center in Belfast, and St. John's Church in Bangor.

NewLand has received several awards over the course of its history for the inventiveness and attractiveness of its work. It won the People's Choice Award five times at the Bangor Garden Show, from 1991 to 1994 and again in 1999. And in 2006, NewLand was recognized by Governor Baldacci, the Maine Commission for Community Service, and the Maine Volunteer Connection with the Small Business Volunteerism Award, commending the company for its culture of encouraging volunteering among its employees and its generosity in assisting others throughout Hancock County. NewLand Nursery and Landscaping is a member of numerous community and statewide organizations, including the Ellsworth Area Chamber of Commerce and the Maine State Florists' and Growers' Association.

Steve Elliot, the owner of NewLand, has certainly led by example when it comes to community service. Mr. Elliot most recently served as president of the Rotary Club of Ellsworth and was actively involved in organizing engaging Rotary meetings and service events. In fact, this coming Saturday, Mr. Elliot will join his fellow Rotarians for the third annual Gifting Experience. Members of the local club will take 23 8- and 9-year-olds shopping in downtown Ellsworth to buy gifts for their family members. They will then go to Maine Coast Memorial Hospital, where the children will wrap presents. At the conclusion of the day, Mr. Elliot dressed as Santa Claus will give each participant a gift.

No stranger to community involvement, Mr. Elliot also hosts a free annual fall children's festival at NewLand, where kids can enjoy hayrides and participate in bowling with pumpkins, as well as an Easter Egg Hunt each spring. He has additionally donated his time as a coach for the Blue Hill Athletic Department. Several years ago, NewLand also hosted the unveiling of the ''Fishing for Friends'' effort, a fundraiser for Faith in Action Community Connection, a volunteer group that assists the disabled and elderly in Hancock County.

The holiday season is a time to appreciate what we have and discover ways we can give to others. Steve Elliot and the employees at NewLand have truly taken this spirit to heart. I applaud Mr. Elliot and everyone at NewLand Nursery and Landscaping for their generous and dedicated work, and I wish them well in all of their future endeavors.●

TRIBUTE TO URSULA VILLERE

● Mr. VITTER. Madam President, today I wish to recognize Mrs. Ursula Villere on her 90th birthday which occurred November 30, 2008.

Mrs. Villere has been a Louisianan all her life, born in New Orleans and residing in Metairie since 1955. She graduated from Dominican High School and then Dominican College, where she was a member of the KKI Sorority. Taking a further interest in education, she proceeded to teach school both in New Orleans and Jefferson Parish until retiring in 1980. She is a loyal parishioner of St. Angela Merci Church and a loving mother and grandmother. She has 7 wonderful children who have given her 14 fantastic grandchildren and 6 great-grandchildren.

I am proud to call Mrs. Villere a fellow Louisianan and would like to extend my best wishes to her and her family on the occasion of her 90th birthday.●

MESSAGES FROM THE HOUSE

At 10:33 a.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that pursuant to section 333(a)(2) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229), and the order of the House of January 4, 2007, the Speaker appoints the following voting members to the Commission to Study the Potential Creation of a National Museum of the American Latino: Mrs. Rosa J. Correa of Bridgeport, Connecticut; and Dr. Aida Levitan of Key Biscayne, Florida.

The message also announced that pursuant to section 125(c)(1) of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), and the order of the House of January 4, 2007, the Speaker announces the November 14, 2008, joint appointment by the Speaker and the Majority leader of the Senate and appointment by the Speaker on the part of the House of Representatives to the Congressional Oversight Panel:

Joint appointment: Mr. Damon Silvers of Maryland; and, Speaker's appointment: Mr. Richard H. Neiman of New York.

ENROLLED BILL SIGNED

The President pro tempore (Mr. BYRD) announced that he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 6859. An act to designate the facility of the United States Postal Service located at 1501 South Slappey Boulevard in Albany, Georgia, as the ''Dr. Walter Carl Gordon, Jr. Post Office Building''.

At 6:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 7311. An act to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), amended by Division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader reappoints the following member to the United States-China Economic and Security Review Commission, effective January 1, 2009: Mr. Larry Wortzel of Williamsburg, Virginia.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KOHL, from the Special Committee on Aging:

Special Report entitled ''Recognition of Excellence in Aging Research Committee Report'' (Rept. No. 110-527), pursuant to S. Res. 89, Sec. 17(d), February 28, 2007, Resolution Authorizing a Study on the Problems of the Aged and Aging.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW (for herself and Mr. BROWN):

S. 3725. A bill to promote economic recovery through green jobs and infrastructure, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEAHY:

S. 3726. A bill to reauthorize the Crime-Free Rural States Grants program; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Mr. VOINOVICH):

S. 3727. A bill to require the designation of the Federal building located at McKinley Avenue and Third Street, S.W., Canton, Ohio, as the ''Ralph Regula Federal Building''; to the Committee on Environment and Public Works.

By Mr. SANDERS:

S. 3728. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation programs and activities through September 30, 2009; to the Committee on Environment and Public Works.

By Mr. DORGAN:

S. 3729. A bill to amend the Clean Air Act to prohibit the imposition of a fee or tax for direct gaseous emissions by livestock; to the Committee on Environment and Public Works.

By Mr. KOHL:

S. 3730. A bill to expand, train, and support all sectors of the health care workforce to care for the growing population of older individuals in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MCCASKILL (for herself, Mr. GRASSLEY, Ms. COLLINS, Mr. LIEBERMAN, Ms. SNOWE, Mr. DODD, Mr. BUNNING, Mr. COLEMAN, Mr. SCHUMER, Mr. LEVIN, Mr. CARPER, and Ms. CANTWELL):

S. 3731. A bill to amend the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) to provide the Special Inspector General with additional authorities and responsibilities, and for other purposes; considered and passed.

By Mr. REID:

S.J. Res. 46. A joint resolution ensuring that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect on January 1, 2007; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KENNEDY (for himself, Mr. MCCAIN, Mr. AKAKA, Mr. SPECTER, Mrs. LINCOLN, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. KERRY, Mr. LEAHY, Mr. LAUTENBERG, Mr. FEINGOLD, Mr. BAYH, Mrs. CLINTON, Ms. COLLINS, Mr. LEVIN, Mr. SANDERS, Mr. ENSIGN, and Mr. PRYOR):

S. Res. 728. A resolution designating January 2009 as ''National Mentoring Month''; to the Committee on the Judiciary.

By Mr. ALEXANDER (for himself, Mrs. BOXER, Ms. COLLINS, Mr. CARPER, Mr. WARNER, Mr. BINGAMAN, Ms. SNOWE, Mr. SALAZAR, Mrs. DOLE, and Mr. TESTER):

S. Res. 729. A resolution expressing the opposition of the Senate to a proposed regulation by the Environmental Protection Agency, now under review in the Office of Management and Budget, that would undercut air quality protections established by Congress in the Clean Air Act Amendments of 1977 for national parks, national wilderness areas, national monuments, and national seashores; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 20

At the request of Mrs. CLINTON, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 20, a bill to prohibit the implementation or enforcement of certain regulations.

S. 2063

At the request of Mr. CONRAD, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2063, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the economic security of the United States, and to expand future prosperity and growth for all Americans.

S. 2510

At the request of Mr. THUNE, his name was added as a cosponsor of S. 2510, a bill to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes.

S. 3484

At the request of Mr. SPECTER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3484, a bill to provide for a delay in the phase out of the hospice budget neutrality adjustment factor under title XVIII of the Social Security Act.

S. 3656

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3656, a bill to preserve access to healthcare under the Medicare and Medicaid programs.

S. RES. 725

At the request of Mr. VITTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 725, a resolution acknowledging the accomplishments and goals of the Youth Impact Program.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY:

S. 3726. A bill to reauthorize the Crime-Free Rural States Grants program; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased today to introduce the Crime-Free Rural States Reauthorization Act, a bill designed to help rural communities deal with a growing drug and crime problems made worse by the devastating recession we now face.

This week the Senate is focused on passing a bill to authorize billions of dollars to bail out the automobile industry. Congress has already passed legislation providing for hundreds of billions of dollars to rescue the financial industry. These are difficult pieces of legislation, but we are trying to protect countless jobs and the economy as a whole. These efforts have done little, though, to help the millions of people in rural America, who have been hit as hard as anyone by the devastating effects of this recession, but will see few benefits from financial and corporate bailouts.

We must help rural communities, and they especially need our help as they try to pull together to combat the worsening drug and crime problems that threaten the safety and well-being of too many in our small cities and towns and, most particularly, our young people. The Crime-Free Rural States Reauthorization Act will provide just this kind of help.

I pushed for the original Crime-Free Rural States grant program. It was first authorized in 2002 and funded in 2003. Like too many valuable programs to help local law enforcement and crime prevention, it was allowed to lapse under the Bush administration. The program provides grants for rural states to come up with a plan to help communities confront drug and crime problems and to offer training and assistance for local prevention programs and law enforcement. This program can help cash-strapped communities with assistance they desperately need.

Last week, the Senate Judiciary Committee traveled to St. Albans, VT, to hear from the people of that resilient community about the persistent problem of drug-related crime in rural America, and about the innovative steps they are taking to combat that problem. The introduction of this bill is a small first step to apply the lessons learned in that hearing and in previous hearings in Vermont and elsewhere.

Drug-related crime is not just a big-city issue. As we heard in St. Albans last week and at a hearing in Rutland earlier this year, drugs and related crime are a growing problem in rural communities in Vermont and across the country. Fortunately, resourceful communities like St. Albans and Rutland are coming together to find innovative, community-based solutions to these complex problems.

Of course, law enforcement continues to be an important component in our efforts to combat the scourge of drugs. There continues to be an urgent need for the Federal Government to support

state and local law enforcement. What more and more cities and towns are finding is that the best solutions involve all segments of the community coming together with law enforcement to find meaningful, community-based approaches. Solving these problems as they arise is essential, but preventing them is even better, and less expensive.

Unfortunately, for the last eight years, throughout the country, state and local law enforcement agencies have been stretched thin as they shoulder both traditional crime-fighting duties and new homeland security demands. They have faced continuous cuts in federal funding during the Bush years, and time and time again, our state and local law enforcement officers have been unable to fill vacancies and get the equipment they need.

This trend is unacceptable. I intend to work with the new administration to reverse it. Eric Holder, whom President-Elect Obama has designated to be our next Attorney General, focused on the importance of state and local law enforcement when he was introduced to the nation last Monday. He was a local U.S. Attorney and understands the critical role of state and local law enforcement, our first responders. We need to restore the COPS and Byrne grant programs to help support local law enforcement, and I hope we will do a better job when it comes to rural communities and rural states. That is why I am introducing this bill today to bring back the Crime-Free Rural States grant program.

As a former prosecutor, I have always advocated vigorous enforcement and punishment of those who commit serious crimes. But I also know that punishment alone will not solve the problems of drugs and violence in our communities. Police chiefs from Vermont and across the country have told me that we cannot arrest our way out of this problem.

Combating drug use and crime requires attention to enforcement, prevention and treatment. The best way to prevent crime is often to provide young people with opportunities and constructive things to do, so they stay away from drugs and crime altogether. And if young people do get involved with drugs, treatment in many cases can work to help them to turn their lives around. Good prevention and treatment programs have been shown again and again to reduce crime, but regrettably, the Bush administration has consistently sought to reduce funding for these important programs. It is time to move in a new direction.

I will work in the next Congress to advance legislation that will give state and local law enforcement the support it needs, that will help our cities and towns to implement the kinds of innovative and proven community-based solutions needed to reduce crime. The legislation I introduce today is a modest beginning, addressing the urgent and unmet need to support our rural communities as they struggle to combat drugs and crime.

By funding planning, training, and technical assistance, Crime-Free Rural States grants provide an anchor for our rural communities as they work to address the devastating problems of crime and drugs. It is a first step for us to help our small cities and towns weather the worsening conditions of these difficult times and begin to move in a better direction.

I hope Senators on both sides of the aisle will join me in supporting this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3726

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Crime-Free Rural States Reauthorization Act''.

SEC. 2. REAUTHORIZATION OF CRIME-FREE RURAL STATES GRANTS.

Section 2989 of Part GG of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797y–4) is amended by striking ''2003, 2004 and 2005'' and inserting ''2009, 2010, 2011, and 2012''.

By Mr. SANDERS:

S. 3728. A bill to direct the Secretary of Transportation to waive non-Federal share requirements for certain transportation programs and activities through September 30, 2009; to the Committee on Environment and Public Works.

Mr. LEAHY. Mr. President, I rise today with my colleague from Vermont, Senator SANDERS, to introduce a bill that will help States struggling with meeting non-Federal match requirements for federal transportation funding under the Safe, Accountable, Flexible and Efficient Transportation Equity Act, SAFETEA. Representative PETER WELCH from Vermont introduced identical legislation in the House today as well.

Our States are struggling with enormous budget deficits due to the current economic crisis. As a result, nearly every one of our States has been forced to make drastic cuts to their transportation budgets. On top of that, state and local governments around the country report they do not have the necessary funding in their budgets to match any new Federal transportation money possibly forthcoming in an economic stimulus package. The inability of our states to improve roads and bridges, support public transit agencies facing record demand, and upgrade rail lines puts a strain on our already sagging economy.

Waiving the non-Federal match requirements for all highway, transit, and rail projects contained in SAFETEA would allow cash-strapped states to implement high priority transportation projects immediately—at no additional cost to the Federal Government. Since State and local transportation officials have ready-to-go projects that simply cannot move forward without untying the strings of the required match, our legislation would waive the non-Federal matching requirements of SAFETEA through September 30, 2009.

I hope my colleagues will take a good look at our bill and support this important legislation that will stimulate needed transportation infrastructure investments all across the country.

By Mr. KOHL:

S. 3730. A bill to expand, train, and support all sectors of the health care workforce to care for the growing population of older individuals in the United States; to the Committee on Health, Education, Labor, and Pensions.

Mr. KOHL. Mr. President, I rise today to introduce the Retooling the Health Care Workforce for an Aging America Act, a bill that will address the impending and severe shortage of health care workers who are adequately trained and prepared to care for older Americans. The unfortunate fact of the matter is that while our country is aging rapidly, the number of health care workers devoted to caring for older Americans is experiencing a shortage—one that will only grow more desperate as the need for these caregivers skyrockets.

We face many challenges. We know that few nursing programs require coursework in geriatrics and that in medical schools, comprehensive geriatric training is a rarity. Currently, only 1 percent of all physicians are certified geriatricians, even as the population of older people is on track to double by 2030, and less than 1 percent of all nurses are certified gerontological nurses. Absent any change, by 2020, the supply of nurses in the United States will fall 29 percent below projected requirements, resulting in a severe shortage of nursing expertise relative to the demand for care of frail older adults.

Ensuring that health care workers are properly trained in the provision of care to our seniors is vital. For the direct care workforce, which includes home health aides and personal care attendants, we know that Federal and State training requirements vary enormously, despite the fact that studies show that more training is correlated with better staff recruitment and retention. We also know that family caregivers want enhanced education and training to develop the necessary skills to provide the best possible care for an ailing family member. There are more than 44 million people providing care for a family member or friend nationwide. These caregivers frequently do the same work as a professional caregiver, but they do so voluntarily and with little or no training. To their loved one, they are the doctor, the nurse, the assistant, the therapist, and oftentimes the sole source of emotional and financial support.

Fortunately, knowing what we need to change is half the battle. The bill I introduce today will expand, train, and support the workforce that is dedicated to providing care for the older members of our population, incorporating the major recommendations for improving the skills and preparedness of the health care workforce put forth in the Institute of Medicine report, ''Retooling for an Aging America: Building the Healthcare Workforce.''

By the year 2020, it is estimated that the number of older adults in need of care will increase by one-third. The United States will not be able to meet the approaching demand for health care and long-term care without a workforce that is prepared for the job. Bolstering the health care workforce will be an integral part of national health care reform, and I look forward to working with Finance and HELP Committee leaders on incorporating this legislation into their policy proposals.

By Mr. REID:

S.J. Res. 46. A joint resolution ensuring that the compensation and other emoluments attached to the office of Secretary of State are those which were in effect on January 1, 2007; considered and passed.

Mr. REID. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be placed in the RECORD, as follows:

S.J. RES. 46

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF STATE.

(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of State shall be those in effect January 1, 2007, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2007, and ending at noon of January 3, 2013.

(b) CIVIL ACTION AND APPEAL.—

(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of State may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

(3) APPEAL.—

(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of State under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

(c) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 728—DESIGNATING JANUARY 2009 AS ''NATIONAL MENTORING MONTH''

Mr. KENNEDY (for himself, Mr. MCCAIN, Mr. AKAKA, Mr. SPECTER, Mrs. LINCOLN, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. KERRY, Mr. LEAHY, Mr. LAUTENBERG, Mr. FEINGOLD, Mr. BAYH, Mrs. CLINTON, Ms. COLLINS, Mr. LEVIN, Mr. SANDERS, Mr. ENSIGN, and Mr. PRYOR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 728

Whereas mentoring is a longstanding tradition in which a dependable, caring adult provides guidance, support, and encouragement to facilitate a young person's social, emotional, and cognitive development;

Whereas continued research on mentoring shows that formal, high-quality mentoring focused on developing the competence and character of the mentee promotes positive outcomes, such as improved academic achievement, self-esteem, social skills, and career development;

Whereas further research on mentoring provides strong evidence that mentoring successfully reduces substance use and abuse, academic failure, and delinquency;

Whereas mentoring, in addition to preparing young people for school, work, and life, is extremely rewarding for those serving as mentors;

Whereas more than 4,200 mentoring programs in communities of all sizes across the United States focus on building strong, effective relationships between mentors and mentees;

Whereas approximately 3,000,000 young people in the United States are in solid mentoring relationships due to the remarkable vigor, creativity, and resourcefulness of the thousands of mentoring programs in communities throughout the Nation;

Whereas, in spite of the progress made to increase mentoring, the Nation has a serious ''mentoring gap'', with nearly 15,000,000 young people in need of mentors;

Whereas mentoring partnerships between the public and private sectors bring State and local leaders together to support mentoring programs by preventing duplication of efforts, offering training in industry best practices, and making the most of limited resources to benefit young people in the United States;

Whereas the designation of January 2009 as National Mentoring Month will help call attention to the critical role mentors play in helping young people realize their potential;

Whereas a month-long celebration of mentoring will encourage more individuals and organizations, including schools, businesses, nonprofit organizations, faith institutions, and foundations, to become engaged in mentoring across the United States; and

Whereas National Mentoring Month will, most significantly, build awareness of mentoring and encourage more people to become mentors and help close the mentoring gap in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of January 2009 as ''National Mentoring Month'';

(2) recognizes with gratitude the contributions of the millions of caring adults and students who are already volunteering as mentors and encourages more adults and students to volunteer as mentors; and

(3) encourages the people of the United States to observe National Mentoring Month with appropriate ceremonies and activities that promote awareness of, and volunteer involvement with, youth mentoring.

Mr. LEAHY. Mr. President, I am honored to join Senator KENNEDY and others to submit S. Res. 728, which designates January 2009 as National Mentoring Month. Mentoring a child is a uniquely rewarding experience for both the mentor and the child. Research continues to support that building these positive relationships helps keep children off of drugs, in school and off the streets, and out of trouble.

This month, I brought the Senate Judiciary Committee to St. Albans, VT, for a field hearing about ''Community-Based Solutions to Drug-Related Crime in Rural America.'' Community leaders and law enforcement officials testified about their efforts to address crime. They are on the front lines fighting crime each and every day. I have always said that solving these problems as they arise is essential, but preventing them is even better. One solution that Vermont's businesses, schools, college students, and retired people have continued to recognize is that mentoring connects our community to our children.

Vermont's mentoring programs stretch the length of our great State, from the Northeast Kingdom to Bennington. Whether it is the Boys and Girls Clubs offering healthy alternatives for young people, or organizations such as DREAM, which connects college students and children living in subsidized housing developments, or any of the several mentoring programs in the State, these organizations and the dedicated people who operate and participate in them deserve our special thanks. I applaud all the work mentoring programs are doing to help our Nation's children become productive, law-abiding teenagers and contributing adults. Recognizing those efforts during National Mentoring Month is just one way we give our thanks.

SENATE RESOLUTION 729—EXPRESSING THE OPPOSITION OF THE SENATE TO A PROPOSED REGULATION BY THE ENVIRONMENTAL PROTECTION AGENCY, NOW UNDER REVIEW IN THE OFFICE OF MANAGEMENT AND BUDGET, THAT WOULD UNDERCUT AIR QUALITY PROTECTIONS ESTABLISHED BY CONGRESS IN THE CLEAN AIR ACT AMENDMENTS OF 1977 FOR NATIONAL PARKS, NATIONAL WILDERNESS AREAS, NATIONAL MONUMENTS, AND NATIONAL SEASHORES

Mr. ALEXANDER (for himself, Mrs. BOXER, Ms. COLLINS, Mr. CARPER, Mr. WARNER, Mr. BINGAMAN, Ms. SNOWE, Mr. SALAZAR, Mrs. DOLE, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 729

Whereas, in 1977, under part C of title I of the Clean Air Act (42 U.S.C. 7470 et seq.), the prevention of significant deterioration (PSD) program was established ''to preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special national or regional natural, recreational, scenic, or historic value'', which areas are known as class I areas;

Whereas Congress sought to protect air quality in class I areas through, among other things, the establishment of strict limits on additional amounts of air pollution, known as increments, allowed in class I areas over baseline conditions;

Whereas Congress required protection of air quality not just from long-term pollution increases, but also from short-term fluctuations and spikes, and Congress therefore created and required both annual and short-term increments;

Whereas, on June 6, 2007, the Environmental Protection Agency (EPA) proposed a rule under the PSD program that would replace the congressionally-established short-term pollution increments with less protective annual average emission rates;

Whereas, according to the National Park Service Comments on EPA's Proposed Rule Regarding PSD Increment Modeling Procedures Clarification/Modification (ER No.: DEC–06/0006), ''the protection of short term PSD increments cannot be assured using annual average emission rates'', and the proposed rule ''ignores . . . reality'';

Whereas EPA's proposed rule would make multiple additional changes to the PSD program that conflict with Congress's statutory scheme, set forth in section 160 of the Clean Air Act (42 U.S.C. 7470), ''to preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special national or regional natural, recreational, scenic, or historic value'';

Whereas during EPA's initial review of the PSD proposal in 2007, each of EPA's 10 regional offices expressed grave concerns that the changes to the PSD program proposed by EPA would undermine protection of air quality in class I areas;

Whereas EPA submitted a proposed PSD rule to the Office of Management and Budget in October 2008 that did not incorporate the concerns expressed by the National Park Service and EPA regional offices;

Whereas half of EPA's 10 regional administrators formally dissented from the draft final rule now under review in the Office of Management and Budget, and 4 other EPA regional administrators criticized the draft final rule in writing; and

Whereas the National Park Service and all 10 EPA regional offices have uniformly concluded that EPA's proposed changes to the PSD program would make it easier for large pollution sources to locate closer to national parks, national wilderness areas, national monuments, and national seashores, leading to more harmful air pollution in these areas: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that air pollution levels in class I areas can vary significantly over the course of a year, a month, or even a day, and that short-term pollution spikes are capable of endangering visitors, wildlife, and scenic values in national parks, national wilderness areas, national monuments, national seashores, and other class I areas;

(2) affirms that the PSD program is intended to preserve, protect, and enhance air quality in class I areas not just over the long term, but also over the shorter time periods delineated in the Clean Air Act (42 U.S.C. 7401 et seq.);

(3) finds that EPA has proposed multiple changes to the PSD program that would conflict with Congress's statutory scheme to preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special natural, recreational, scenic, or historic value; and

(4) expresses its opposition to EPA's proposed rule entitled ''Prevention of Significant Deterioration New Source Review: Refinement of Increment Modeling Procedures'' (72 Fed. Reg. 31372 (June 6, 2007)), and urges the rule be withdrawn.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on December 10, 2008, at 9:30 a.m., in room SD366 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, PENSION, AND LABOR

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Health, Education Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Prevention and Public Health: The Key to Transforming our Sickcare System'' on Wednesday, December 10, 2008. The hearing will commence at 10 a.m. in room 192 of the Dirksen Senate Office Building.

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

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM ACT OF 2008

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3731, introduced earlier today by Senator MCCASKILL.

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

The assistant legislative clerk read as follows:

A bill (S. 3731) to amend the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) to provide the Special Inspector General with additional authorities and responsibilities, and for other purposes.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 3731) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3731

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Special Inspector General for the Troubled Asset Relief Program Act of 2008''.

SEC. 2. AUDIT AND INVESTIGATION AUTHORITIES.

Section 121 of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended—

(1) in subsection (c), by adding at the end the following:

''(4)(A) Except as provided under subparagraph (B) and in addition to the duties specified in paragraphs (1), (2), and (3), the Special Inspector General shall have the authority to conduct, supervise, and coordinate an audit or investigation of any action taken under this title as the Special Inspector General determines appropriate.

''(B) Subparagraph (A) shall not apply to any action taken under section 115, 116, 117, or 125.''; and

(2) in subsection (d)(2), by striking ''subsection (c)(1)'' and inserting ''subsection (c)(1) and (4)''.

SEC. 3. PERSONNEL AUTHORITIES.

Section 121(e)(1) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended—

(1) by inserting ''(A)'' after ''(1)''; and

(2) by adding at the end the following:

''(B)(i) Subject to clause (ii), the Special Inspector General may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of that section).

''(ii) In exercising the employment authorities under subsection (b) of section 3161 of title 5, United States Code, as provided under clause (i) of this subparagraph—

''(I) the Special Inspector General may not make any appointment on and after the date occurring 6 months after the date of enactment of the Special Inspector General for the Troubled Asset Relief Program Act of 2008;

''(II) paragraph (2) of that subsection (relating to periods of appointments) shall not apply; and

''(III) no period of appointment may exceed the date on which the Office of the Special Inspector General terminates under subsection (j).''.

SEC. 4. RESPONSE TO AUDITS AND COOPERATION AND COORDINATION WITH OTHER ENTITIES.

Section 121 of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343) is amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following:

''(f) CORRECTIVE RESPONSES TO AUDIT PROBLEMS.—The Secretary shall—

''(1) take action to address deficiencies identified by a report or investigation of the Special Inspector General or other auditor engaged by the TARP; or

''(2) certify to appropriate committees of Congress that no action is necessary or appropriate.

''(g) COOPERATION AND COORDINATION WITH OTHER ENTITIES.—In carrying out the duties, responsibilities, and authorities of the Special Inspector General under this section, the Special Inspector General shall work with each of the following entities, with a view toward avoiding duplication of effort and ensuring comprehensive oversight of the Troubled Asset Relief Program through effective cooperation and coordination:

''(1) The Inspector General of the Department of Treasury.

''(2) The Inspector General of the Federal Deposit Insurance Corporation.

''(3) The Inspector General of the Securities and Exchange Commission.

''(4) The Inspector General of the Federal Reserve Board.

''(5) The Inspector General of the Federal Housing Finance Board.

''(6) The Inspector General of any other entity as appropriate.''.

SEC. 5. REPORTING REQUIREMENTS.

Section 121(h) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343), as redesignated by this Act, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(2) by inserting after paragraph (1) the following:

''(2) Not later than July 1, 2009, the Special Inspector General shall submit a report to Congress analyzing the use of any funds received by a financial institution under the TARP and make the report available to the public, including posting the report on the home page of the website of the the Special Inspector General within 24 hours after the submission of the report.''; and

(3) by adding at the end the following:

''(5) Except as provided under paragraph (3), all reports submitted under this subsection shall be available to the public.''.

SEC. 6. FUNDING OF THE OFFICE OF THE SPECIAL INSPECTOR GENERAL.

Section 121(i)(1) of the Emergency Economic Stabilization Act of 2008 (division A of Public Law 110–343), as redesignated by this Act, is amended by inserting before the period at the end the following: '', not later than 7 days after the date on which the nomination of the Special Inspector General is first confirmed by the Senate''.

AMERICA'S BEAUTIFUL NATIONAL PARKS QUARTER DOLLAR COIN ACT OF 2008

Mr. DURBIN. Madam President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be discharged from further consideration of H.R. 6184 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 6184) to provide for a program for circulating quarter dollar coins that are emblematic of a national park or other national site in each State, the District of Columbia, and each territory of the United States, and for other purposes.

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

Mr. DURBIN. Madam President, I ask unanimous consent the bill be read a third time and passed, the motions to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (H.R. 6184) was ordered to a third reading, was read the third time, and passed.

COMMENDING IDAHO ON WINNING TO HOST THE 2009 SPECIAL OLYMPICS WORLD WINTER GAMES

Mr. DURBIN. Madam President, I ask unanimous consent that the Commerce Committee be discharged from further consideration and the Senate now proceed to S. Res. 196.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 196) commending Idaho on winning the bid to host the 2009 Special Olympics World Winter Games.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 196) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 196

Whereas Special Olympics is an international nonprofit organization that promotes personal development through sports training and competition;

Whereas Special Olympics advances the understanding of intellectual disabilities in the community and the Nation through participation and fellowship;

Whereas Special Olympics serves more than 2,500,000 individuals with intellectual disabilities;

Whereas Special Olympics offers more than 200 programs in over 160 countries;

Whereas Special Olympics offers 30 Olympic-type summer and winter sports to both children and adults with intellectual disabilities;

Whereas Boise, Idaho won the international bid to host the 2009 Special Olympics World Winter Games to be held February 6 through 13, 2009;

Whereas thousands of athletes are expected to compete in the 2009 Special Olympics World Winter Games; and

Whereas the 2009 Special Olympics World Winter Games will be the largest multi-sport event ever held in the State of Idaho: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the goals and principles of Special Olympics;

(2) salutes the athletes, coaches, family members, friends, and volunteers that make Special Olympics possible; and

(3) congratulates the State of Idaho on its selection as the host for the 2009 Special Olympics World Winter Games.

ENSURING COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF STATE

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S.J. Res. 46 introduced earlier today.

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

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 46) ensuring that the compensation and other emoluments attached to the Office of Secretary of State are those which were in effect on January 1, 2007.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the joint resolution be read three times and passed, the motions to reconsider be laid upon the table; and that any statements related thereto be printed in the RECORD.

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

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 46

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF STATE.

(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of State shall be those in effect January 1, 2007, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2007, and ending at noon of January 3, 2013.

(b) CIVIL ACTION AND APPEAL.—

(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of State may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of

the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

(3) APPEAL.—

(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of State under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

(c) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009.

WILLIAM WILBERFORCE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7311, which was received from the House.

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

The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 7311) to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Reauthorization Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

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

Mr. LEAHY. Madam President, I am glad the Senate today passed the William Wilberforce Trafficking Victims Protection Act, a bill that will strengthen our efforts to stop the abhorrent practice of human trafficking in the United States and around the world. I congratulate Senators BIDEN and BROWNBACK, Congressman BERMAN, and the many others who worked hard on this important legislation. I commend Senate and House leaders on this bill for putting aside significant differences to reach consensus on this important issue. I was pleased to support this bill as it moved through the Judiciary Committee this summer, and I am heartened that it will soon become law.

This bill enhances protections to the victims of these terrible crimes and provides new laws against the immoral practice of recruiting children to be soldiers. Human trafficking is a modern-day form of slavery, involving victims who are forced, defrauded or coerced into sexual or labor exploitation. These practices continue to victimize hundreds of thousands around the world, mostly women and children, and we must continue to make the laws banning human trafficking more effective and meaningful.

The coerced and often violent subjugation and exploitation of women, girls, and children continues to plague many regions of the world. As news reports continue to reveal, women and girls from many nations are sold as slaves and forced to engage in the sex industry. Children are recruited, and sometimes even drugged, to become soldiers in war-torn regions of the world, and poor destitute immigrant workers are often duped or coerced to work in intolerable conditions that amount to forced labor. Even in the United States, we are not immune to the scourge of human trafficking, as evidenced by recent reports of Haitian children being brought to the United States as servants, who are then beaten and abused into servitude. Progress has been made to address these horrific problems, but we must continue to do more. This bill does.

I want to thank Senator BIDEN for introducing this bill in the Senate. I commend him for working with all the Federal agencies and constituent interests to address new issues that continue to come up in the fight against human trafficking. This bill will provide more protection to victims, particularly child victims of human trafficking, and will give prosecutors new tools to gain cooperation from witnesses and informants who can provide vital testimony in human trafficking prosecutions. This bill also contains tools to combat the equally abhorrent practice of recruiting or using child soldiers. I particularly appreciate Senator BIDEN's work to remove language that would have resulted in unintended mandatory minimum penalties in the bill.

We must rededicate our efforts to the prevention of human trafficking, the protection of its victims, and prosecution of those who would commit these heinous offenses. Nowhere on earth should it be acceptable to deceive, abuse, and force a person into a life of enslavement. To deny a person their right to freedom is an affront to the ideals of this Nation. Passage of this legislation is a first step toward correcting this terrible problem.

Mrs. FEINSTEIN. Madam President, I thank my colleagues for supporting the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

This trafficking bill includes a provision I authored over 8 years ago—the Unaccompanied Alien Minor Act—to ensure that unaccompanied children receive humane and appropriate treatment while in the custody of the U.S. Government.

Today Congress took an important step to protecting unaccompanied alien children, the most vulnerable immigrants.

I believe we have a special obligation to ensure that these children are treated humanely and fairly. Unfortunately, without this legislation, there would be no procedure to make sure that happens.

Currently, when a child is apprehended by immigration authorities, that child usually knows nothing about U.S. courts or immigration policies and frequently does not speak English. As a result, many are sent to detention facilities—often with adults or hardened criminals with no idea that they might be eligible for foster care or immigration relief.

This bill is necessary because every year, more than 7,000 undocumented and unaccompanied children are apprehended in the United States or at our borders. This bill deals with how these thousands of children will be treated while awaiting a final decision on their immigration status in this country.

Today Congress took the first step to ensure that unaccompanied minors in temporary Federal custody are treated as children and not as criminals.

I first became involved in this issue when I saw the treatment of a 15-year-old Chinese girl, who fled persecution in her country and had spent 9 months in a juvenile jail. She came to her asylum hearing shackled and in prison clothing. As she told her story to an immigration judge, she could not wipe away her tears because her hands were chained to her waist.

This bill seeks to protect children like this girl, who have escaped traumatic situations such as armed conflict, sweatshop labor, human trafficking, forced prostitution, and other life-threatening circumstances.

These children have seen their family members threatened, tortured and even murdered. Many have been targets of attacks themselves.

Indeed, it is through their resilience and indomitable spirit that they have found themselves in our country. And they need our help.

Yet, our Nation's response over the several years has been unacceptable. According to a report issued by Amnesty International in June of 2004, unaccompanied children have too often languished in an unregulated immigration system.

According to Amnesty International, investigators identified situations where children were strip-searched or kept in solitary confinement. Others were victims of extreme brutality or refugees from war zones and rather than being placed in appropriate facilities, they were thrown in juvenile jails.

Most children reported that they had not received weekly visits from officials specializing in juvenile care.

In addition, 83 percent of these facilities reported that they routinely restrained the children with handcuffs or leg irons when they are transported.

One attorney told the story of a 7-year-old boy who had been forced to appear before a judge in handcuffs.

The majority of these children have been forced to struggle through an immigration system designed for adults.

Today, Congress will pass the Unaccompanied Alien Child Protection Act to remedy this by requiring that children who pose no danger to themselves or others be placed in the least restrictive setting possible; requiring the Office of Refugee Resettlement to do a suitability assessment before placing the child with any agency or person; and prohibiting placing children, who have committed no crimes, in a prison with hardened criminals.

This legislation also requires, whenever possible, family reunification or other appropriate placement in the best interest of the unaccompanied alien children. For example, the Office of Refugee Resettlement must do a home study before placing a child into a home or foster care.

The bill also provides for pro bono legal representation for unaccompanied alien children in their immigration matters, where possible, at no expense to the Government. And finally, the bill requires training for Department of Homeland Security personnel and others who come into contact with unaccompanied children.

I would also like to be clear about what this bill would not do.

This legislation does not expand the current immigration rights of any child. Instead, it presumes that children will be placed in removal proceedings—unless they qualify for immigration benefits under current law.

It does not remove the jurisdiction and responsibility for adjudicating immigration status from the Department of Homeland Security or the Executive Office for Immigration Review, where such jurisdiction and responsibilities currently reside.

It does not interfere with the custodial rights of a parent or guardian in situations where a parent or guardian seeks to establish custody.

Like the Trafficking bill, these provisions have received broad bipartisan support. Among the endorsers of this legislation are organizations representing mental health and child welfare professionals, as well as legal, human rights, immigration and religious organizations. It is a moderate, reasonable bill that by and large addresses issues of a child's care and custody, and not issues of substantive immigration relief.

I thank my House and Senate colleagues for passing this important bill. I also specifically thank Senators BIDEN, BROWNBACK, KENNEDY, and LEAHY, as well as Representatives BERMAN, LOFGREN, and CONYERS for their hard work and leadership in securing the passage of this bill.

I urge the President to sign this important legislation.

Mr. DURBIN. Madam President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 7311) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR THURSDAY, DECEMBER 11, 2008

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. tomorrow, Thursday, December 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 7005.

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

RECESS UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 6:45 p.m., recessed until Thursday, December 11, 2008, at 10 a.m.