

the House of Representatives, from time to time, to serve its interests. This is one which is very important, if not vital, to our Nation's Capital. I compliment the Senator for his leadership. As I leave the Senate, whatever modest mantle I have in this area, I convey to you and to Senator WEBB and Senator MIKULSKI.

Mr. CARDIN. Senator, you have been an inspiration to all of us on these issues and a model for how we should work together on regional issues. I congratulate you for a great record in the Senate.

Mr. WARNER. Thank you. I have been a lucky man.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

TRIBUTE TO JOHN WARNER

Mr. CARPER. I say to my leader, from my days as a naval flight officer, how privileged I have been having served in Southeast Asia, to serve under his leadership when he was Secretary of the Navy and I was a young naval flight officer, pleased to serve under his leadership then, and delighted to be able to follow his leadership here again today on the important legislation we have been voting and debating here.

I wish to comment on what Senator CARDIN said. You provided an example for us. You provided an example for us how we are supposed to treat other people. You treat other people the way you wish to be treated. You are an embodiment of the Golden Rule.

If you look in the Bible, it talks about the two great commandments. The second one is to love thy neighbor as thyself; treat other people the way you want to be treated. You certainly embody that. I, personally, am going to miss you. I know a lot of others are as well.

You talk about passing the mantle to Senator CARDIN. Your mantle is so heavy, it is amazing to me you can even walk around, all you have done and all you have accomplished.

But you are the best. It has been an honor to serve with you, again, here in this capacity.

Mr. WARNER. Mr. President, I thank my good friend and colleague from Delaware. You mentioned naval aviation. It requires an extraordinary person to go into that program to fly those aircraft. I believe yours was a P-2; was it not?

Mr. CARPER. It was a P-3.

Mr. WARNER. I remember that airplane. It flew many missions. Your primary mission was watching the Soviets, I repeat the Soviet Navy, and its submarines operating off the shore and was vital to our security, to track and know where those submarines were because they had missile armaments which could inflict great harm on this country.

So I commend you, sir, for your service and I humbly thank you for your remarks.

Mr. CARPER. Mr. President, I would like to talk a little bit about the legislation Senator WARNER, Senator CARDIN, Senator LAUTENBERG, and others have crafted. It has been described as legislation that will accomplish three things: One, to eventually provide better transit service for folks in this part of the country, to help—whether you happen to work here, live here or visit here, the opportunity in years ahead, to get out of our cars, trucks and vans, leave them wherever they are, at home, in the parking lot or at work and take transit.

It will help the quality of our air. It will help reduce congestion in this part of our country. It will reduce our reliance on foreign oil. It works on all different kinds of levels.

I know Senator WARNER has done good work, along with Senators CARDIN and MIKULSKI and Senator WEBB. I also wished to say to Senator LAUTENBERG how much I appreciate his leadership in crafting the legislation, the Amtrak legislation, the rail safety legislation that is before us today.

On the rail safety legislation, this is the first time in 10 years that we have actually come back and taken up a major reform of rail safety. The legislation provides some money—about \$1.5 billion—for rail safety programs over the next 5 years.

The best thing it does is with respect to something called positive train control systems. A terrible accident, a commuter train and freight train accident out in California earlier this month, could have been prevented had those trains been fitted with—especially, the commuter rail train—a positive train control system. This legislation requires the installation of that kind of system in all trains by the year 2015. I would argue that it should be sooner. My hope is it will be in a number of trains before that date, but it should be on all trains by that date. In the situation in California, apparently the engineer may have been text messaging and missed a stop signal, ran the stop signal and ran right into a freight train, killed a lot of people, including him. Had we had this positive train control system in place, all that damage and heartache would have been spared.

Another major provision of this legislation on the rail safety side deals with hours of service. I used to think we flew a lot of hours. I spent a lot of time when I was on Active Duty in the Navy. People who work on trains spend a lot of time operating the trains as well. Currently, they are able to work up to 400 hours per month. Under current law, they are allowed to work up to 400 hundred hours per month compared to about 100 hours for commercial airline pilots. This legislation drops that limit by about a third, down to around 275 hours per month. That is still a lot of hours to work in a month

but better than what they had been working with for years.

The last piece I want to mention on rail safety deals with the highway-rail grade crossing. This is a case where you don't have a rail overpass or a road going under a railroad bridge but a situation where you have the rail and the highway meeting at the same level. This legislation requires the 10 States with the most highway-rail grade crossing collisions to develop plans to address the problem within a year of enactment. It also requires each railroad to submit information to an inventory of highway-rail crossings, including information about warning devices and signage.

In short, this legislation is going to save lives. It is going to save money. It is going to provide a much better situation for people who are running and operating trains, people who are traveling on trains, and for those of us who are driving around in our cars, trucks, and vans, trying to get across a rail crossing.

Next I would like to turn to Amtrak, an issue that is near and dear to my heart. In our State, we have a lot of folks who take the train. Amtrak has a train station in Wilmington, DE, and that train station is about the 11th or 12th busiest in the country. A lot of people depend on Amtrak in my State, as they do up and down the Northeast corridor.

I used to serve on the Amtrak board of directors when I was Governor of Delaware. I rode Amtrak as a passenger. As someone who represents a State where we do a lot of repairs on locomotives, we do a lot of the repair work on the passenger and dining cars and so forth, I wanted to talk in sort of broad terms about this legislation.

Mr. President, what is the situation with the time?

The PRESIDING OFFICER. The Senate has an order to recess at 1:30.

Mr. CARPER. In that case, we better recess. I will have the opportunity later to pick up my remarks and talk about the Amtrak provisions in this bill.

I thank the Chair.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:30.

Thereupon, at 1:33 p.m., the Senate recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. TESTER.)

FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

#### TRIBUTE TO SENATORS

Mr. WEBB. Mr. President, I know this afternoon at some point the majority leader intends to speak about the service of a number of the Members of this body who are going to be retiring at the end of the year. But seeing that people are elsewhere right now, I thought I might seize this moment and say a few words about two of my Republican colleagues with whom I have had long relationships, and both of whom I respect a great deal, and to wish both of them success as they leave this body.

#### SENATOR JOHN WARNER

The first is Senator John Warner. Right now, with the situation facing this country, we are in more turmoil, we are facing greater problems than at any time, probably, since the combination of the Great Depression and the end of World War II. We need people who are willing to work to solve the problems of this country rather than simply falling back into partisan rhetoric or simple party loyalties.

I think it can fairly be said that throughout his lifetime of service, and particularly his service in politics, there is one thing everyone can agree on about JOHN WARNER: He has always put the interests of the people of Virginia and the people of this country ahead of political party. He has been very clear at different times that he and I are in different parties. But this is an individual who has served this body with great wisdom and a deeply ingrained sense of fairness, and someone who has the temperament and the moral courage of a great leader.

Our senior Senator has a history and a family heritage involving public service. If you go into Senator WARNER's office, you will see a picture of a great-uncle who lost his arm serving in the War Between the States. His father was an Army doctor who participated in some of the most difficult campaigns of World War I. Senator WARNER himself enlisted at the age of 17 in the Navy toward the end of World War II and was able to take advantage of the GI bill to go to college. Then when the Korean war came about, he joined the Marine Corps, went to Korea as an officer of marines, and, in fact, remained as a member of the Marine Corps Reserve for some period of time.

He, as most of us know, gave great service in a civilian capacity in the Pentagon. He had more than 5 years in the Pentagon, first as Under Secretary of the Navy, and then as Secretary of

the Navy, and after leaving as Secretary of the Navy, was the official responsible for putting together our bicentennial celebrations in 1976.

I first came to know JOHN WARNER my last year in the Marine Corps when I was a 25-year-old captain and was assigned, after having served in Vietnam, as a member of the Secretary of the Navy's staff. JOHN WARNER was the Under Secretary at the time. John Chafee—later also to serve in this body—was the Secretary. Then, toward the end of my time in the Marine Corps, JOHN WARNER was the Secretary of the Navy and, in fact, retired me from the Marine Corps in front of his desk when he was Secretary of the Navy. I have been privileged to know him since that time.

I was privileged to follow him in the Pentagon, when I spent 5 years in the Pentagon and also was able to serve as Secretary of the Navy.

Shortly after I was elected to this body, Senator WARNER and I sat down and worked out a relationship that I think, hopefully, can serve as a model for people who want to serve the country and solve the problems that exist, even if they are on different sides of this Chamber. We figured out what we were not going to agree upon, and then we figured out what we were going to be able to agree upon. I think it is a model of bipartisan cooperation on a wide range of issues, ranging from the nomination of Federal judges, to critical infrastructure projects in the Commonwealth of Virginia, to issues facing our men and women in uniform, to issues of national policy.

It has been a great inspiration for me, it has been a great privilege for me to be able to work with Senator WARNER over these past 2 years.

Last week was a good example of how bipartisan cooperation, looking to the common good, can bring about good results when Judge Anthony Trenga made it through the confirmation process, an individual whom Senator WARNER and I had interviewed and jointly recommended both to the White House and to the Judiciary Committee.

I am particularly mindful—I see the Senator; the senior Senator has joined us on the floor—I particularly am mindful of the journey I took upon myself my first day as a Member of the Senate when I introduced a piece of legislation designed to give those who have been serving since 9/11 the same educational opportunities as the men and women who served during World War II.

Perhaps the key moment in that journey, which over 16 months eventually allowed us to have 58 cosponsors of that legislation, including 11 Republicans, was when Senator WARNER stepped across the aisle and joined me as a principal cosponsor, and we developed four lead sponsors on that legislation—two Republicans, two Democrats;

two World War II veterans, two Vietnam veterans—that enabled us to get the broad support of the Congress and eventually pass that legislation. History is going to remember JOHN WARNER as a man who accomplished much here during his distinguished tenure. He was the first Virginia Senator to support an African American for the Federal bench. He was the first to support a woman. He was the first Virginia Senator to offer wilderness legislation. Senator WARNER has never wavered in his determination to do what is right for America, even when it caused him from time to time to break with the leadership of his own party.

There are important legacies, but perhaps more than anything else, we will remember Senator JOHN WARNER's tenure here as having been a positive force for the people who serve in uniform. There is not a person serving in the U.S. military today or who has served over the past 30 years whose life has not been touched by the leadership and the policies of JOHN WARNER and whose military service has not been better for the fact that Senator WARNER, as a veteran, as someone who has served in the Pentagon, and as someone who served on the Armed Services Committee, understood the dynamic under which they had to live, understood the challenges they had to face when they served, and understood the gravity of the cost of military service. Senator JOHN WARNER has stood second to none in protecting our troops and their way of life.

When JOHN WARNER announced his retirement 13 months ago on the grounds of the University of Virginia, he reminded us that at the end of the day, public service is a rare privilege. In my work with him over these many years, and particularly over the last 2 years, I can attest to the fact that he certainly approaches this work in that humble spirit.

So on behalf of the people of Virginia and all those who have worn the uniform of the United States in the past 30 years, I wish to thank Senator WARNER for his exceptionally talented leadership and all he has done and his staff has done for our State and for our country. This institution will miss JOHN WARNER, his kindness, his humility, his wisdom, and his dedicated service. I know we in Virginia will continue to benefit from his advice and his counsel for many years to come.

#### CHUCK HAGEL

Mr. President, I also wish to say a few words today about Senator CHUCK HAGEL, who will be leaving this body.

CHUCK HAGEL and I have known each other for more than 30 years. We both came to Washington as young Vietnam veterans, determined to try to take care of the readjustment needs of those who had served in Vietnam. Senator HAGEL had been an infantry sergeant in Vietnam; wounded, came up, worked in

the Senate for awhile, became a high-ranking official in the Veterans' Administration. He later ran the USO before he came to this body. He is known in this body as an expert on foreign affairs.

Again, as with Senator JOHN WARNER, he is someone who puts country first, who puts the needs of the people who do the hard work of society first. It has been a rare privilege for me to have made a journey with someone, beginning in the same spot in the late 1970s and ending up here in the Senate. I know this country will hear more from CHUCK HAGEL in the future. I certainly wish him well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I am very deeply moved by this moment. As a matter of fact, now—this is just a month or so short of 30 years—I can't think of another opportunity or moment in the Senate when I have been so moved and so grateful to a fellow Senator. I have served with five individuals, you being the fifth now, in the Senate to come from Virginia, to form the team we have all had, some different in different ways, but generally speaking, Virginia's two Senators have worked together on behalf of not only the Commonwealth but what is best for the United States.

I remember one time so vividly we stood together here at the desk on a rather complex issue, and there were clear political reasons for us to vote in a certain way. But you turned to me and you asked what I was going to do, and I replied, and you said: That is what I will do because that is in the best interest of the country though it may not be politically to our benefit, or possibly to our State. But that is this fine man whom I finished my career in the Senate with as my full partner and, most importantly, my deep and respected friend. Our relationship, as you so stated, started many years ago—over 30—when we worked with the Navy Secretary together.

You mentioned Vietnam. To this day, I think about that chapter in my life. I remember John Chafee, whom I am sure you recall very well. He and I one time were asked to go down to the Mall. The Secretary of Defense sent us down there, and we put on old clothes and went down, and there were a million young men and women—over a million—expressing their concerns about the loss of life, the war in Vietnam, and how the leadership of this country had not given, I believe, the fullest of support to those such as yourself, Senator, and Senator HAGEL, who fought so valiantly and courageously in that war.

In the years I have been privileged since that time to serve here in the Senate—I might add a footnote that

Senator Chafee or then-Secretary of the Navy Chafee, and I was Under Secretary—went back directly to the Secretary of Defense and sat in his office, and that was sort of the beginning of the concept of "Vietnamization" when we tried to lay those plans to bring our forces home.

But anyway, in the years that passed, I remember so well working with Senator Mathias on the original legislation to establish the Vietnam Veterans Memorial. I felt strongly that it would be some tribute fitting to the men and women who served, as you did, so valiantly during that period. I think time has proven that while there was enormous controversy about that memorial, it has in a very significant measure helped those families and others who bore the brunt of that conflict, you being among them.

I thank the Senator from Virginia for working together this short period we have been here. As I leave, I leave with a sense of knowing that for our Virginia, but perhaps even more importantly, for the United States of America, there is one man in Senator WEBB who will always do what is right for his country and will fear absolutely no one in trying to carry out that mission. Whether it be a vote or a piece of legislation, or whatever it may be, he will persevere. He showed that on the GI bill legislation.

I was privileged, as I might say, just to be a corporal in your squad on that, but you led that squad with the same courage that you fought with in Vietnam and that you will fight with today and tomorrow and so long as you are a Member of the Senate. I hope perhaps maybe you might exceed my career of 30 years in the Senate, and that wonderful family of yours will give you the support my family—my lovely wife today and my children—has given me so that I could serve here in the Senate.

America will always look down on you as a proud son. I don't know what the future may be, but I know there are further steps of greatness that you will achieve, Senator. I wish you the best of luck from the depths of my heart. I thank you for these words today, similar to words we have shared, both of us, in speaking of our working partnership here in the Senate. I thank you, sir. I salute you.

Mr. President, I yield the floor.

Mr. WEBB. Mr. President, if I might address the senior Senator through the Chair, it is a rare opportunity to say something like this on the Senate floor, but I will reiterate my appreciation for the leadership the senior Senator from Virginia has shown in my case since 1971—it is hard to believe—as an example, the example he has set here in the Senate for 30 years in terms of how to conduct the business of Government. I can think of no one whom I would rather have shared the past 2

years with in terms of learning the business of the Senate and having something of a handoff here in terms of how we take care of the good people of the Commonwealth of Virginia. There is only one other person in this body I can say these words to, but I say them from my heart: Semper fidelis, JOHN WARNER. Thank you very much.

Mr. WARNER. I thank you.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Mr. President, parliamentary inquiry: Is the Senate in morning business?

The PRESIDING OFFICER. The Senate is postcloture on the motion to concur.

CHRISTOPHER AND DANA REEVE PARALYSIS ACT

Mr. HARKIN. Mr. President, I come to the Senate floor with a heavy heart and a clear purpose. Last Thursday would have been the 56th birthday of a great actor, a devoted father and husband, Christopher Reeve. Many Americans got to know Christopher Reeve when he put on that blue and red uniform of Superman and acted in so many Superman roles. He was also on television and stage. So we always think of Christopher Reeve as the first Superman.

Then, in May of 1995, Christopher Reeve was involved in an equestrian accident. He was riding a horse and got pitched off the horse. He suffered injuries to his spinal column, starting in his neck, which left him paralyzed from the neck down.

In the years following the accident, Christopher Reeve not only put a face on spinal cord injury for so many, but he motivated neuroscientists around the world to conquer the most complex diseases of the brain and the central nervous system.

Even before I met Mr. Reeve in 1998, I was a big admirer. Of course, I liked Superman movies. Then I watched what he did after he had been paralyzed. After the accident, he could afford the very best doctors and nurses, the best caregivers and therapies. He could have just withdrawn into himself, focused on his own well-being which was a full-time job in and of itself.

Christopher Reeve made a different choice that defined him as a great human being. He chose to become the man whom I first met in 1998 when he first testified before the Senate Appropriations Subcommittee on Labor, Health, Human Services, and Education on which I was a ranking member at that time. I had been chairman

before and then Senator SPECTER was ranking. In 1998, Senator SPECTER was chairman of that subcommittee. Mr. Reeve came on a mission to give hope and help to other people with disabilities and thus became a kind of real-life hero to people around the world.

Later on, I got to know Christopher Reeve as a friend, someone who had an impish sense of humor, a great smile, was warm and personable. He spent all of his waking time, days, thinking about and getting information about spinal cord injuries, research that had been done, how it was being researched here and in other parts of the world, at the same time finding time to direct a movie.

Christopher Reeve began to inform me and others on the committee that the kind of research we were doing into spinal cord paralysis was disjointed; it was not well put together. Then he went on a mission to think about, with others—with scientists and researchers and those of us in the Senate and the House—how we might accomplish pulling this research together in a more unified structure.

In 2002, I first introduced the Christopher Reeve Paralysis Act with bipartisan cosponsors. The bill has passed the House twice, but we have never succeeded in passing it here.

As I said, it is a bipartisan bill. It addresses the critical need to accelerate the discovery of better treatments and one day a cure for paralysis. As I said, currently paralysis research is carried out across multiple disciplines with no effective means of coordination or collaboration. Time, effort, and valuable research dollars are used inefficiently because of this problem. Families affected by paralysis are often unaware of critical research results, information about clinical trials, and best practices.

This bill will improve the long-term health prospects of people with paralysis and other disabilities by improving access to services, providing information and support to caregivers and their families, developing assistive technology, providing employment assistance, and encouraging wellness among those with paralysis.

In August of last year, the Health, Education, Labor, and Pensions Committee cleared this bill for full Senate consideration. Two months after that, our colleagues in the House passed the bill unanimously by voice vote. Yet for the last 12 months, this bill has languished in the Senate, as I understand it, due to the objections of one Senator, my friend, the junior Senator from Oklahoma. At least that is what I am told. I could be corrected, but that is what I am told.

In the past, I have heard the Senator from Oklahoma question our role in promoting health legislation because he has said sometimes in the past that too often we get caught up in one cause

or another pushed by a celebrity and other worthwhile causes get left behind because they don't have someone famous out there pushing for them. I guess once in a while I might agree with that point. But even though this legislation has Christopher and Dana Reeve's names behind it, it was really written for the thousands of ordinary Americans living with paralysis and spinal cord injuries and their families and friends who pushed the cause of improved research and treatment.

I want to read a couple of stories of Americans today. One story belongs to Marilyn Smith of Hood River, OR. She is one of the many paralysis advocates who volunteer their time through the Unite to Fight Paralysis organization. She took the time recently to share her story with me. I want to read a portion of it for the RECORD. Here is what Marilyn said:

Paralysis doesn't just happen to an individual, it happens to a family. In December of 2002, our son became a quadriplegic when a careless driver failed to tighten the lug nuts on one of his wheels. It came off and flew into our son's pickup, shattering his cervical vertebra. Our family was thrown into physical, emotional and financial chaos. We have done the best we could after this calamity, but our lives will never be the same. As parents, our greatest wish before we pass on is to see our son's health restored. We have traveled from Oregon to Washington, DC, for 4 straight years to lobby for passage of the Christopher and Dana Reeve Paralysis Act, a well-crafted piece of legislation with bipartisan support that will make a measurable difference in our lives.

I think Marilyn's story underscores the tremendous cost paralysis imposes on families. The Spinal Cord Injuries and Illness Center at the University of Alabama Birmingham has done a lot of work to quantify that cost. I believe their findings might surprise some of my colleagues.

According to the Spinal Cord Injury and Illness Center, the first-year cost of an injury to the C-1, C-4 vertebrae is upwards of \$683,000, with costs in each subsequent year averaging out at more than \$120,000. Think about that for a moment. That figure represents a cost of personal care attendants, medical treatment and therapy, transportation, and all the necessary modifications made to one's home.

Leo Halland of Yankton, ND, knows this cost all too well. He has been living with paralysis for the past 32 years. He, too, has a story to tell. I will read a short selection from a letter he sent over the weekend. He said:

I know there is much in life I will never understand, and now near the top of that list are: One, how a single Senator can stop a piece of good legislation; and, two, how some of his colleagues can support those efforts. Failure to act on this legislation is doing great medical harm.

I just have to say, frankly, I am surprised there continues to be an objection to moving this bill. I negotiated this bill with my Republican col-

leagues before it was marked up in the HELP Committee in July of last year. During the course of those negotiations, we received through Senator ENZI, who is the ranking member of that committee, specific requests to, one, remove authorizations for the titles related to the National Institute for Health Research. In the interest of getting legislation passed, we accepted this change. We removed the NIH reporting provisions in response to concerns that they were duplicative of reporting requirements in the NIH reauthorization legislation. So we took that out.

We responded to all of the feedback from the Department of Health and Human Services and the NIH by incorporating both substantive and technical changes they wanted.

At that point, we were assured there were no more objections, and the bill passed out of our committee with no amendments and no objections. We just passed it out of committee.

So given all of the efforts we made to meet concerns raised by Senators on the other side of the aisle, and given that Senators had an opportunity to file amendments at that time in the committee but chose not to, I had every expectation that the bill would pass the full Senate. Instead, it continues to be held due to one Republican objection. This bill is long overdue for passage.

When I introduced the bill 17 months ago, Dr. Elias Zerhouni, the Director of the NIH, spoke at a rally in support of the bill. They had suggestions on some changes which we did. But he spoke in support of the bill. Here is something Dr. Zerhouni said that day:

So really as the Director of an institution that is committed to making the discoveries that will make a difference in people's lives, I feel proud and I feel pleased. But at the same time, I'm humbled. I'm humbled because in many ways [the Christopher and Dana Reeve Paralysis Act] is the harbinger of what I see as the combination of the public, the leadership in Congress, and the administration and government in our country that is absolutely unique, and humbled because at the same time, I know it contains a lot of expectations from us. And I am at the same time confident that we can deliver on these expectations of NIH, with our sister agencies throughout the government. But the key thing I would like to provide is an expression of commitment. At the end of the day, if you do not have leaders and champions that look at a problem in its entirety, today in the 21st century, you cannot make progress.

That was Dr. Zerhouni. I wholeheartedly agree with him. You have to look at it in its entirety. Progress is vital in science and biomedical research. It is also important in the legislative process. As Senators, of course, we have a duty to ensure due diligence in considering legislation. That is one of our responsibilities. But to keep this bill from getting an up-or-down vote, despite strong support from both sides

of the aisle, and the fact that the House passed it unanimously, I am not certain that is exercising due diligence. I don't know what it is called, but I don't know if that is due diligence.

Brooke Ellison of Stony Brook, NY, is another passionate advocate. She was paralyzed from the neck down when she was 7 years old after she was struck by a car while walking home from the first day of school. She is now 25 years old. In the years since her accident, she has graduated from college—Harvard—with an undergraduate degree and a master's degree, and founded the Brooke Ellison Project for those facing paralysis and adversity, and she asked me to pass along these words.

I have seen up close and in person how very quickly any one of our lives can change and we find ourselves facing challenges unlike anything we may have expected. Eighteen years ago, I learned this lesson in a personal and profound way. Yet each day, an increasing number of people find themselves in similar circumstances, and we need to do all we can to alleviate their suffering. Christopher Reeve lived his life as a testament to helping to reduce the challenges people suffering from paralysis face. The Christopher and Dana Reeve Paralysis Act is critical to changing the fate, and sometimes even dire conditions, that millions of people face. And the events in my life have shown me all too clearly how essential it is to be passed.

I wish to be clear; by putting this bill on hold, we are also putting Brooke Ellison and Leo Hallan and other people living in paralysis on hold. It tells the more than 400 Iraq war veterans who have returned with spinal cord injuries that they are on hold. It puts the needs of Bethany Winkler from Yukon on hold. She has been paralyzed for 7 years, since falling in an accident. She has taken the time to come to Washington to lobby for this legislation. I met Bethany in the past, and I can testify to what a passionate and effective advocate she is for the cause of paralysis research and care.

Although we often find ourselves on different sides of the table, I wish to say publicly I respect the fact that Senator COBURN believes strongly this legislation inappropriately grows the size of the Federal Government. I have heard that stated. I see my friend is on the floor, and he can state it if he wants. But if that is the case, I wish to say I disagree with that assessment. I am on the Appropriations Committee, sure, but I am on an authorizing committee as well, and this legislation appropriates no money for paralysis research. It doesn't appropriate any money for care or quality-of-life programs. It simply says we authorize funding for programs. So they still have to be funded through the regular appropriations process.

So I come down to the floor with renewed hope. This past week, the Senate passed several bills by unanimous consent with new authorization for Federal spending. Two of those bills, the

Drug Endangered Children Act and the Emmett Till Unsolved Civil Rights Crime Act, which were also being held up, and again were authorizations for appropriations, received unanimous consent and were passed. So I have come to the floor today, and as soon as I finish, in another page or two, I will ask unanimous consent that the Christopher and Dana Reeve Paralysis Act pass.

But I am going to give two more cases. One is from Donna Sullivan, another of the many concerned advocates for paralysis research and care. Donna is fighting not for herself but for her son, and here is what she said:

Three years ago, my son was the lone survivor of an airplane crash. His injuries were extensive, and my heart literally felt as if it was broken. After numerous operations and procedures, under the care of well-trained doctors in three States, he has overcome all of his injuries except for one, it is his spinal cord injury, which waits for science to move forward and allow him further recovery.

Together, we have attended research symposiums and visited our legislators in Washington, DC, to share our story and the promise that research holds. It is our hope that the Senate will join others who understand the potential and release this bill. When you understand the potential paralysis research holds, it is difficult to ignore, and it is difficult for me to accept that some do.

Christopher Reeve spoke up passionately for people such as Donna Sullivan and her son. Christopher Reeve's untimely death in 2004 robbed the paralysis community of its most passionate and effective advocate. As we know, his widow, wife Dana, continued her husband's quest until her untimely death in 2006 of lung cancer. Across the country, thousands of ordinary Americans, whose lives have been touched by paralysis, have taken up Christopher and Dana Reeve's advocacy work at great cost to their health and wealth.

Well, I have one last story I have to share with you. It has to do with a young man—a big kid; strong. His dad had been in the Navy in World War II and imbued that in each of his kids. Each kid went in the military—different branches. But this one kid, Kelly—big Irish kid—he went in the Navy. He went in the Navy. He went to work on an aircraft carrier. He was one of the launch people, an enlisted guy on the deck of an aircraft carrier.

They were cruising off the coast of Vietnam. Unbeknownst to Kelly, on one of the planes—it was an A-6 Intruder—the pilot had run up his engine. The intakes on an A-6 are on the bottom. They are big intakes. He was not supposed to have run up his engine, but he ran up his engine to 100 percent of power. Kelly, doing his job, got too close to the intake and got sucked into the intake. He had a hard hat on—his Mickey Mouse ears and his hard hat on—and evidently the pilot, through later investigations, saw something going wrong with his engine, heard a thud in his plane, and pulled the power

back. Someone saw Kelly's feet sticking out of the intake, and they got people up there and rushed him down to the infirmary on the ship and then put him in some kind of traction thing, got him off the ship, and got him back to the States.

I will never forget the day my sister called me about Kelly. It was my nephew. When my sister called me, I was a Member of the House of Representatives, and she called me up to see what I could do to help. She was extremely distraught, as you can imagine. Kelly was 20 years old and had his life ahead of him. So I went to work, as any Congressman would, for my family, and I got him in at the VA hospital out in California, near Stanford, and that is the first time I flew out to see him. He was quadriplegic at the time. He couldn't move anything.

I can remember walking in there and seeing this kid—and I don't mean to be overly maudlin about this, but you see, I was a Navy pilot. I used to fly my plane around a lot of times, and these kids always looked up to their father because he was in the Navy and I was in the Navy. I was a Navy pilot. I still have pictures of my jet and young Kelly as a kid sitting in the cockpit of my jet with my helmet on dreaming that someday he, too, would do something such as that. So I kind of felt a lot of responsibility for this because I had encouraged him to get into the Navy, to go into aviation, to do things with airplanes.

I will never forget the first time I saw him lying in that hospital bed at Stanford—I think that is right, the Stanford VA hospital—and the look on his face. I mean, this kid was scared. He couldn't move anything, and he was wondering what was going to happen to him.

Well, he had good medical care, and the good news is that over some years he actually got the use of his arms back, through sheer will and determination. And through those years he then went back to school. I remember how tough it was for him, using a wheelchair to get around on campus. That was before the Americans with Disabilities Act. That was before we had ramps and widened doorways and things such as that. This was in the 1980s when he was going to school.

I remember his father building him ramps and stuff so he could get in and out of places and learn how to live. Well, that happened 28 years ago—28 years ago. Now, the good news is Kelly is alive and well. He lives by himself, in his own home, and has a van that has all these automatic lifts that put him into the van so he can drive himself around. He can't use the lower half of his body, but he can drive around.

He started a small business and he is very self-sufficient. I saw Kelly—well, whenever the Democratic Convention was—because he lives in Colorado, and

so I went to see him. We were talking about this and that, a lot of things, and I can't begin to tell you what a profound effect Christopher Reeve had on my nephew's life. It seemed as though all of a sudden there was someone like him, who was big and strapping and full of life, with a lot of energy, and then one accident and that is it. So I could see Kelly could identify with someone such as a Christopher Reeve, a healthy, strong, vibrant man, and suddenly one accident and that is it. So he followed him. Kelly is on the computer, on the Internet, and he follows research all the time. During this period of time in the late 1990s, he became more and more encouraged by what Christopher Reeve was doing and how he was pulling all this stuff together. He kept asking me about it: What are you guys going to do? Are you going to pass this? Are you going to do something about paralysis research? Kelly follows this today to the nth degree.

Then Christopher Reeve passed away, and then his wife. I saw my nephew Kelly out in Colorado last month. Once again he asked me, he said: Are you going to get that bill passed or not?

I said: I don't know. I will try. I am still trying.

Of course he knows all about this. He knows it passed the House. He follows all this. He just wondered what the problem was.

I said: A person has a hold on it.

Can't you bring it up, do this?

I don't know if we can bring it up or not—go through cloture and debate and all that kind of stuff. I don't know. He reminded me it passed the House. I said: I know that, it passed the House unanimously. It passed out of our committee.

So I told Kelly when I saw him in August: We will come back in September and I will try another go at it and we will see what happens. I hope we get it passed.

Here we have the medical community, in the personage of Dr. Zerhouni, saying this does what we should be doing, bringing everything together, coordinating it. It authorizes appropriations but doesn't appropriate any money.

I can tell you, it is not just because there was a famous person behind it. There are people such as my nephew Kelly all over the United States who are wondering, are we going to pursue this? I don't like to give anyone false hope. My nephew is a realistic person. He has lived with this for 28 years now. But he still believes strongly that we ought to be pushing the frontiers and that we ought to be doing everything we can to promote research, of course—obviously into paralysis, because that is what affects him. If anybody wants to talk about this and what needs to be done, he can talk about it at greater length and in more depth and understanding than can I.

I was not going to do this until my colleague from Oklahoma came to the floor. I see him here. All I say is I hope we can move this bill. I am hopeful, after looking it over and understanding we do not appropriate any money, and looking at what we did with a couple of other bills earlier, we can get this bill through. I will be glad to engage in any colloquies such as that.

UNANIMOUS CONSENT REQUEST—S. 1183

I am constrained to ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 326, S. 1183, the Christopher and Dana Reeve Paralysis Act, that the committee substitute amendment be agreed to, the bill as amended be read a third time and passed, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Reserving the right to object, first let me say to my colleague, I know he is dedicated to this cause. It is an important cause. I have four basic problems with what we are doing here.

We did negotiate this bill. I also expressed in public that I would not allow this bill to go unless we had a full debate on the Senate floor. That has never been in confusion.

I also stated if we were in fact to offset the authorizations in the bill with some of the wasteful spending that we have today—and I understand the contention by the Senator from Iowa, who is also an appropriator who does not believe this will lead to spending—if we do not believe it will lead to spending, why authorize it in the first place? It is a false hope.

The third point I would make is everything this bill wants to do can already be done, except name it after Christopher and Dana Reeve—everything. So what I would like is a unanimous consent request, after rebuttal from the Senator from Iowa, that I be given 10 minutes to explain my objections to the bill in detail, and also to offer for the record a letter from Dr. Zerhouni, dated July 30 of this year, in which he adamantly opposes any disease-specific bills. He outlined specifically why they should not be there.

The final point I would make, we spend \$5.9 billion on this right now. We should spend more, but we do not have the money to spend more because this Congress will not get rid of \$300 billion worth of wasteful spending. We appropriate \$300 billion that is pure waste every year. It is not that we do not have the money. It is not that this bill will spend the money. It is not that we cannot have this; it can happen right now under the leadership at NIH. It is the fact that the very problems we are faced with today in terms of the financial collapse of this country and the liquidity of this country is because we

have gone down a road of fiscal irresponsibility.

On that basis, I will object and await Senator HARKIN's rebuttal. I do congratulate him for his commitment and his dedication. I believe the people at NIH want to solve this as well as anybody else and they recognize that they already have the power to do this.

I will make one final comment. This bill could have come to the floor. We could have taken care of it in 2½ hours if we had debate and amendments. The majority leader refused to let this bill come to the floor.

It is important for the American people know what a hold is. A hold is saying: Let the bill come to the floor, but I don't want to pass it with my vote unless I have an opportunity to debate it and amend it, and what has been done has precluded us on that.

We did a lot of negotiations on this. The one thing we couldn't get negotiated is offsetting the negotiating level. Everybody knows that is a non-starter with me. That is the only way we establish fiscal discipline in this country.

The PRESIDING OFFICER (Ms. STABENOW). Objection is heard.

Mr. HARKIN. Madam President, as I mentioned, and I ask my friend from Oklahoma, two bills I understand went through by unanimous consent this week, the Drug Endangered Children's Act and the Emmett Till Unsolved Civil Rights Crimes bills. I understand the Senator from Oklahoma had holds on those bills. Is that correct?

Mr. COBURN. Absolutely. In response to your question, the Emmett Till bill, we attempted to do that. It was passed in connection with other bills, and we believed, since we had assurances that the appropriators would in fact take care of that inside the Department of Justice, we did not have that in the bill but outside, the appropriators would take care of that and we wouldn't spend additional money.

Mr. HARKIN. Do I understand from my friend from Oklahoma there was not an offset for the authorizations in that bill? And then the other was the Drug Endangered Children's Act. I am told there was not an offset for the authorization in that bill either. The Senator did not have a hold on that bill?

Mr. COBURN. No, I never had a hold on that.

Mr. HARKIN. Those were just two passed by unanimous consent that did not have—

Mr. COBURN. Will the Senator yield for a moment?

Mr. HARKIN. Certainly.

Mr. COBURN. What I can tell the Senator is I have held every bill that comes before this body that we have an objection to constitutionally, or from the Director of NIH, that does spend money that is already for them.

Mr. HARKIN. I ask my friend from Oklahoma, did the director of NIH—I

don't have a copy of that letter. Did the Director of NIH object to this bill? Because he already said he supported it.

Mr. COBURN. I will gladly deliver to the Senator a copy of his letter. You can read it. What he objects to is any disease-specific bill. The reason for that is very simple. There are over—let me give you the exact number. There are 12,161 subcategories of diseases. His principle is we ought to let the scientists decide the direction of the research, not Congress. Because if we decided on this and we set it up and a consortium will take it directly from the research—if we did that on everything, we would have the most misguided, misdirected, and wasteful expenditures on research you could imagine. He lists specifically the fact that we had 2,036 categories and over 12,000 subcategories, and philosophically he objects to all disease-specific bills.

Mr. HARKIN. I respond to my friend from Oklahoma, one of the reasons he wouldn't mention this is because, as my friend from Oklahoma surely knows, paralysis is not a specific disease. Paralysis can happen across a wide spectrum of diseases and illnesses and conditions. So this is not a specific disease. In that way, this is not a disease-specific bill as such, and that is probably where the confusion comes in. Because Dr. Zerhouni was very supportive of this approach; I read it in his comments that he made. But he is against disease-specific authorizations or appropriations. I can tell the Senator from Oklahoma, so am I, and I chair that. I chair it now. I have been ranking member or chair of that subcommittee going back 18 years. I cannot remember one time ever appropriating specifically one disease over another.

There are times, of course, I say to my friend from Oklahoma, in which we as legislators, as public servants, take information and input from our constituents or from the country and through the hearing process—and this is usually on the authorizing side more than the appropriating side—try to give some guidance and direction to those to whom we give our taxpayers' money. Again, we have prodded NIH in the past to perhaps do certain things.

I mean we, the Congress, have started different institutes at the National Institutes of Health. At different times people come together and say there should be an institute to look at this and we, as public policy people, set that up.

Then there are times when we get the Director of NIH, or some of the other heads, some of these people here from these different institutes, and we ask them, What are you doing about this kind of research? Spinal muscular atrophy, which I never heard of before until a few years ago, I found out it is even more prevalent and has a higher mor-

ality rate than muscular dystrophy. But they weren't doing much research into spinal muscular atrophy, so we talked about that, we explored that. We talked about a lot of things in cancer or Parkinson's disease, in which we explored with these heads of NIH what the public wants and what we are hearing from the public. They take that into account. They may make some adjustments one way or the other.

I don't see anything wrong with that. That is part of our legitimate role as public servants, and responding to the legitimate requests and needs of the public. The people who work at NIH, and the people who run these institutes, are not high priests of some religious order who do not answer to anyone except the head person. They have to answer to the public. These are public moneys that go in there.

Sometimes we consult with them, we talk with them, bring them information and say, here, the public wants to know why we are not doing more in this area. They take that into account, sometimes respond—sometimes better than others—sometimes not. But at least that is the input we have and that is what we are saying here with this legislation. We are not telling them exactly what they have to do.

Again, the Senator from Oklahoma says they can do everything that is in this bill. But they are not doing it. That is the point. They are not doing it. You can disagree. You can say they should not do it. I did not hear the Senator from Oklahoma say they should not be doing what we have in the bill. He is not saying that. All I heard him say was that he wanted to debate it for a couple of hours and offer an amendment.

I say to my friend from Oklahoma, as a member of the HELP Committee from which this bill came, the Senator from Oklahoma had all kinds of opportunities in the committee to amend this bill. For all I know, some of the changes we made may have come from him. They came through Senator ENZI, who is the ranking member, and we incorporated them into the bill. But the Senator from Oklahoma cannot deny that he was a member of this committee when this bill passed out of committee. If the Senator from Oklahoma wanted to amend it, he had every opportunity to do so at that time. Yet no objection was raised when we passed it out of committee; only when we get it here on the floor.

We operate around here a lot of times on unanimous consent. And we usually do it on bills that are generally accepted by everybody. We hotline, and our staffs look at them to see whether anyone has an objection. This bill has been hotlined on both sides of the aisle. Out of 100 Senators, only one Senator has an objection, the Senator from Oklahoma.

Now, again, people wonder—this one letter from this one woman says: How

can one Senator stop something like this? Well, you are seeing one Senator can.

Now, again, to the extent that the Senator from Oklahoma has a legitimate point, his point is that this could be brought up under the normal process and debated and passed. Well, it looks as though we are going to be back again on Wednesday. I will have to consult with our leadership. But if the Senator from Oklahoma would agree to a couple of hours of debate, an amendment that would be voted up or down, if he has an amendment or two, and then final passage, maybe we could do that on Wednesday.

I do not know what the heck we are going to be doing Wednesday. Quite frankly, we could do that. I understand we are going to be in tomorrow, but no legislative business can be done tomorrow under the Jewish holiday, but we could on Wednesday.

So if the Senator from Oklahoma wants to enter into an agreement for an hour or two, I do not know if anyone else wants to debate it. If he wants to offer an amendment or two or something like that, maybe we can have a vote on it, voice vote it. Maybe he wants a record vote on it. I do not know. But I have not heard any kind of a suggestion from the Senator from Oklahoma that we could do something like that.

So, again, we operate around here in a spirit of comity. What that means is we kind of trust one another. You know, I kind of trust the Senator from Michigan; I trust the Senator from Idaho on a lot of things. We build ourselves on trust. We do not try to pull the wool over someone's eyes here. We do not try to slip something through to which someone may have an objection.

So if we have bills like this we hotline them. We have them called around. Lord knows, we have plenty of staff around here. They look at all of these things to see if there is something in a bill their Senator would object to or want to change. We do that for bills that are generally widely accepted. A lot of times bills come back: There is no objection. Go ahead and pass them through.

I thought this was one of those simply because it came out of committee. The Senator from Oklahoma was on the committee—is on the committee—and had no objections when it came out of committee. We had incorporated all of the changes that Senator ENZI gave us. We incorporated those plus changes from NIH and the Department of Health and Human Services. So it is very frustrating then to have this objection at this time.

Now, one other point the Senator from Oklahoma said. He said this is an authorization for appropriations. That is true as most of the bills are that we pass around here. One way or the other it is an authorization. But he says that

will lead to new spending and blah, blah, blah. That is not necessarily true. It may be that we may want to put some money in this program, but we may want to take it from someplace else. We could do that. That has been done a lot around here. We may think that, well, perhaps we will take a little bit here and a little bit here and put it into this. Appropriations committees do that all the time. So it is not necessarily true this is going to lead to any new spending. It may lead to a realignment of spending but not necessarily new. So the Senator from Oklahoma is not quite correct that it would lead to new spending.

Secondly, paralysis is not a disease-specific illness. It cuts across all kinds of diseases, illnesses, and conditions. Then I do not know—the Senator mentioned something about \$5.9 million. I brought that down, but I have no idea what that is all about.

I also have a letter from the Congressional Budget Office, dated July 25, 2008, to the Honorable KENT CONRAD as chairman of the Committee on Budget. There were certain questions in here that I thought were pertinent to one of the objections raised by the Senator from Oklahoma.

Question No. 1: Does an authorization of future appropriations provide the authority for Federal programs or agencies to incur obligations and make payments from the Treasury?

Answer: No. A simple authorization of appropriations does not provide an agency with the authority to incur obligations or make payments from the Treasury.

Question: Even if legislation authorizes appropriations for a program, is it not the case that a subsequent act of Congress is required before an agency can spend money pursuant to the authorization?

Answer: Yes.

This is from the head of the Congressional Budget Office.

For discretionary programs created through an authorization, the authority to incur obligations is usually provided in a subsequent appropriations act. An agency must have such an appropriation before it can incur obligations.

Question No. 4: If no new spending occurs under authorizing legislation, does it have the effect of increasing the Federal deficit and/or reducing the Federal surplus?

Answer: No. An authorization of appropriations by itself does not increase Federal deficits or decrease surpluses. However, any subsequent appropriation to fund the authorized activity would affect the Federal budget.

I ask unanimous consent this letter appear at this point in the RECORD, as well as the July 30, 2008, letter to Congressman BARTON from Dr. Zerhouni.

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 25, 2008.

Hon. KENT CONRAD,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This letter responds to the questions you posed on July 17, 2008, about the impact on the federal budget from enacting legislation that authorizes future appropriations but does not affect direct spending or revenues. Consequently, this letter does not address legislation that would permit agencies to incur obligations in advance of appropriations (for example, legislation providing new contract authority).

Question #1: Does an authorization of future appropriations provide the authority for federal programs or agencies to incur obligations and make payments from the Treasury?

Answer: No. A simple authorization of appropriations does not provide an agency with the authority to incur obligations or make payments from the Treasury.

Question #2: Can an agency or program spend money without the authority from Congress to incur obligations and make payments from the Treasury?

Answer: No. An agency is not allowed to spend money without the proper authority from Congress to incur obligations. (See 31 U.S.C. §1341, which outlines limitations on expending and obligating funds by officers and employees of the United States Government.)

Question #3: Even if legislation authorizes appropriations for a program, isn't it the case that a subsequent act of Congress is required before an agency can spend money pursuant to the authorization?

Answer: Yes. For discretionary programs created through an authorization, the authority to incur obligations is usually provided in a subsequent appropriations act. An agency must have such an appropriation before it can incur obligations. (Legislation other than appropriation acts that provides such authority is shown as increasing direct spending.)

Question #4: If no new spending can occur under the authorizing legislation, does it have the effect of increasing the federal deficit and/or reducing the federal surplus?

Answer: No. An authorization of appropriations, by itself, does not increase federal deficits or decrease surpluses. However, any subsequent appropriation to fund the authorized activity would affect the federal budget.

Question #5: Would CBO's projection of federal debt change as a result of enacting legislation that only authorizes future appropriations? Is it not correct that the agency's projection of future debt would be identical both before and after the enactment of such legislation?

Answer: Enacting legislation that only authorizes future appropriations would not result in an increase in CBO's projection of federal debt under its baseline assumptions.

I hope this information is useful to you.

Sincerely,

PETER R. ORSZAG,  
Director.

DEPARTMENT OF HEALTH & HUMAN  
SERVICES, NATIONAL INSTITUTES  
OF HEALTH,

Bethesda, MD, July 30, 2008.

Hon. JOE BARTON,  
Ranking Member, Committee on Energy and  
Commerce, House of Representatives, Wash-  
ington, DC.

DEAR MR. BARTON: This letter responds to your request to update you on implementa-

tion of the NIH Reform Act's provisions requiring trans-NIH research coordination supported by a Common Fund.

I am pleased to report that trans-NIH research has become a vital component of our research enterprise. The NIH Reform Act has enabled this Agency to adapt to new research opportunities while continuing to pursue the latest and best science. Congress has appropriated \$495.6 million to support such coordinated research projects as molecular libraries, metabolomics technology development, the human microbiome, epigenomics, computational biology, clinical research and high risk science. These endeavors reflect the value of research not defined by any single disease, but by gaps in our knowledge of human biological systems that play a role in all diseases.

As examples, the Microbiome and Epigenome initiatives are the result of technological advances and discoveries emanating from the Human Genome Project. The subsequent innovations in high-throughput sequencing and other techniques have given us tools to search for microorganisms associated with the human body that have not been previously identified. The Microbiome project will decipher this underworld of particles and define their role in health and disease. Similarly, epigenetics follows the success of the Genome Project by focusing on the regulation of gene expression, leading to the understanding of how our genes respond to developmental and environmental signals. Such research efforts are accomplished solely through collaborations and the focus on basic biology unrelated to specific organ systems or diseases.

We also have created multiple-Institute collaborations for the Obesity Research Task Force, the Blueprint for Neuroscience, the NIH Nanotechnology Task Force and the NIH Pain Consortium.

This trend should continue in the best interests of scientific discovery. As I have repeatedly testified before Congress, the key transformation from yesterday's approach to medical research to the science of today has been the convergence of concepts, opportunities and needs across all conditions and diseases. As we learn more about the molecular causes of diseases, we have found great similarities among the mechanisms that lead to diseases—once thought unrelated. Increasingly, research in one field finds unexpected application in another. The greatest research advances of recent years involve the fields of molecular and cell biology as well as genomics and proteomics. These applications will not be limited to specific diseases or populations. Greater interdisciplinary efforts will be required as the mysteries of human biology are uncovered. The approaches mandated by the NIH Reform Act will require NIH to seek new ways of conceptualizing and addressing scientific questions. The translation from discovery to patient care will be better facilitated.

The scientific boundaries between NIH's Institutes and Centers have become blurred by the interdisciplinary coordination among them. The functional integration required by the Reform Act has helped this process. As you consider legislation affecting NIH in the future, I caution you that it would be a grave mistake to go backwards in mandating disease-specific research at a time when barriers need to be torn down, not rebuilt.

Recent discoveries demonstrate common characteristics for many varying diseases. These discoveries have spawned new ideas, methods and technologies leading to a new era of personalized medical treatment that

will predict and preempt disease while requiring greater participation of patients in their own care. We are moving from the current paradigm of late, reactive intervention to a future paradigm of early intervention characterized by treatment tailored to the personal makeup of each patient.

We are discovering the underpinnings of disease at a staggering rate. For example, in the case of type 2 diabetes, one of the greatest health threats facing our Nation, we have progressed from having no knowledge of genetic factors ten years ago to discovering two genes associated with the disease five years ago, to 16 genes today. And in a matter of days, an additional 14 genes will be revealed. These discoveries are fueled by various components of medical research, including basic genomics that are part of our multidisciplinary approach to disease research.

We are certain that the best approach to research at NIH is the functional integration of research programs at our Institutes and Centers. The flexibility provided in the NIH Reform Act allows us to adapt to changes in science by pursuing the common factors of disease. Of course, NIH will focus on individual diseases, as appropriate and in accord with independent, peer-reviewed science. However, disease-specific mandates, while well intended, might undermine the progress we have made.

Please let me know if you are interested in additional details of NIH's implementation of the Reform Act. I have sent a similar letter to Chairman Dingell.

Sincerely,

ELIAS A. ZERHOUNI,  
*Director.*

Mr. HARKIN. So, again, I see my friend from Oklahoma has departed the floor briefly.

Madam President, I put in a unanimous consent request. Has it been objected to?

The PRESIDING OFFICER. It has.

Mr. HARKIN. I heard there was a reservation.

The PRESIDING OFFICER. The Senator did object.

Mr. HARKIN. It has been objected to.

Mr. CRAIG. May I inquire of the Senator how much more floor time he will take?

Mr. HARKIN. I am about done.

Well, I am sorry for so many people who suffer from paralysis in this country who really have, many of them, traveled to Washington at their own expense, at great personal not only expense but inconvenience and trouble and effort—can you imagine what it must be like—who had every reason to believe this would pass and give them new hope, new encouragement that we were now going to be able to bring a new focus, coordination, to this.

Now, again, the Senator says they can do everything that is in this bill already. The fact is, they are not. That is why we are here. That is why we are Senators. That is why we are public servants. That is why the public elected us to come here and do things, to get the Government to do things that it is not doing or to stop it from doing something that it is doing.

This is one of the things we ought to be telling the people who are involved

in this research they ought to be doing. They ought to do this. We do it all the time. And if they will not do it, we ought to be telling them to do it. I am sorry, again, that this Christopher and Dana Reeve Paralysis Act has been stopped by a single Senator. I wish we could find some way of getting around it. I ask my friend from Oklahoma if he does not mind, the Senator said something about debating this bill and opening it for amendment.

We are going to be here on Wednesday. Now, I have not cleared this with our leadership—I have to do that, of course; I do not run the Senate. But I would have to clear it with our leadership, and then our leadership would have to clear it with the other side. But if we can get a couple of hours on Wednesday to debate this bill and amend it in a 2-hour period of time, with an up-or-down vote on an amendment or two, would that be acceptable to the Senator?

Mr. COBURN. It would be more than acceptable provided the bill comes to the floor and offsets the authorizations. The problem we have is that in the last year, in your subcommittee alone on appropriations, we had 398 million dollars' worth of earmarks outside of the authorization process. None of them were authorized.

Now you want to spend more money on programs that you want to authorize, but you will not take away the \$398 million of earmarks that were never authorized. That is my whole point. Bring the bill to the floor, offset some spending somewhere else, and we will not even have to go to the floor. Just offset it; you can have the bill.

But the fact is, nobody wants to offset it. The intention is to spend this money. Even though we play the games, how did we get \$9.6 trillion in debt? We got it playing this same game, saying: Here is \$115 million; it does not cost anything. But that is really untrue because it does. If you authorize it, you are going to spend more money. We have grown 61 percent since 2001 in terms of discretionary spending in this country, and we are broke. And we have a financial crisis in front of us.

I am trying to stand and say, if you want to do something, get rid of some of the 300 billion dollars' worth of waste, which I consider 398 million dollars' worth of earmarks that were unauthorized waste. So it is easy to bring it up. Bring this bill without the authorizing money, put it in, you got it.

Mr. HARKIN. I say to my friend from Oklahoma again, the Senator from Oklahoma did not object to a bill passing this week by unanimous consent that has an authorization for appropriations in it. Is that not correct?

Mr. COBURN. That is true.

Mr. HARKIN. I say to my friend from Oklahoma, that is very true, on the Emmett Till bill, but not on this one.

Mr. COBURN. We received assurances that it would be offset at the appropriations level.

Mr. HARKIN. Well, I can assure my friend—I said this when my friend from Oklahoma was off the floor—the Senator from Oklahoma seems to say that since it was an authorization for appropriations in here, that we are going to appropriate new money. That is not always the case. Sometimes the Appropriations Committee will take money from other things; maybe take a little bit here, take a little bit here and put it into something else. That happens a lot, I can tell the Senator, as an appropriator.

So it does not always necessarily follow because we authorize the money that we are going to add new money. We could take it from other places. We do not know.

Mr. COBURN. In response to the Senator through the Chair, that is a rarity that occurs here. The fact is, the Federal Government is growing three times faster than the income of the people in this country. It is because we will not put our own financial house in order.

I want to do the best we can do for people with paralysis. I think we ought to get rid of some of the 380 billion dollars' worth of waste and double the money in NIH. That is what I think. But we will not, nobody can, including my colleague from Iowa. When I have offered amendments on the floor to get rid of wasteful spending, rarely, if ever, have you joined me to get rid of the wasteful spending. Instead, we have continued wasteful spending.

Just like we are going to talk about Amtrak. Amtrak has a \$100 million subsidy. Nobody in this country, other than us, would allow Amtrak to continue losing \$100 million a year on food subsidies on the train. No airline does that. No bus company does that. But because we have a \$2.6 billion subsidy, we think it is fine that we should subsidize people's food on the train.

I can give you a thousand examples of things that we should be doing that we are not. I am not opposed to the efforts that you want to try to accomplish. What I am saying is we need a discipline change in this Congress. The American people have had it with us. We are wasting money hand over foot. And it is not what you want to do is bad, I am for what you want to do, I am saying let's get some discipline and let's make some priority choices.

Every family out there has to choose among priorities. They have to make a hard choice on what is important and what is not.

This is important, yes. We have told your staff the moment this passed the committee that we were going to hold it on the Senate floor unless it was offset. That is not a new threat. That is not news to your staff. They have known that for a long time, and so does

every Member of this body. In fact, you received a letter from me in January of 2007 that said very specifically: If you bring a bill to the floor that is not offset, that is going to spend new money, unless we are going to get it debated and offer amendments, we are going to object. So that is where we stand.

Mr. HARKIN. I say to my friend, he just let a bill go through this week that had an authorization for appropriations on it and let it go through under unanimous consent, but not this one. So I see it is up to the Senator from Oklahoma, as one Senator, to decide what is good and what is bad around here.

Mr. COBURN. Well, we also stopped 10 billion dollars' worth of new authorizations this year. We also stopped \$10 billion. There is no question the Emmett Till bill went through with the assurances. I am not 100 percent.

Mr. HARKIN. What assurances? I am an appropriator. I did not give you any assurances. No one asked me about it. So, obviously, now the Senator from Oklahoma has set himself up as the arbitrator of what is good and bad and right and wrong and everything else around here.

Now, come on, there are 100 Senators around here.

I wish to respond to one other thing about Amtrak. The Senator from Oklahoma mentioned the airlines. This is something I know a little bit about. I fly a lot of airplanes. Every commercial airline in the country now uses GPS, global positioning satellites. Do you know how much they spent to put all those satellites up there? Zero. The taxpayers of this country put up billions of dollars. We maintain them. We keep them in orbit. When one decays, we put another one up. We keep 24 in orbit all the time. Not only do our airlines use it, every airline around the world uses it, as do ships and everybody else. That is not a subsidy for the airlines? How about all the traffic controllers? They don't work for the airlines, they work for the Government. How about all the navigation systems we maintain, the Approach System, the ILSs, and everything else, paid for by the taxpayers? We appropriate money around here all the time for airports, runway lights, approach systems that all the airlines use. They don't pay for all of those facilities. How about all the airports? Local cities provide the land.

If my friend really wants to see how much we are subsidizing the airlines, add it up. It would be a heck of a lot more than what we are subsidizing Amtrak. But I am not opposed to that, subsidies for transportation, for new technologies, for moving people. I am not opposed.

The Senator from Oklahoma is sort of saying we subsidize Amtrak but we don't the airlines. I didn't mean to get into that, but that is the point I was trying to make.

Lastly, on this issue of offsetting authorizations, now we have to offset every authorization that comes up here. I want to ask the Senator from Oklahoma—we just passed a Defense authorization bill, authorizes a lot of new things in there. I ask the Senator from Oklahoma, were any of those offset?

Mr. COBURN. Absolutely not. I voted against it and proudly did so because we had \$16.8 billion worth of earmarks in there that will be forced onto the American taxpayer that will never see the light of day. They were in the report language, and we put something in the bill that said you couldn't amend it. None of those are competitively bid; \$16 billion worth of earmarks, none of them competitively bid. So what happens? Defense authorization, we got \$16 billion that we probably could have bought for 10, but because we have a system that says we are not going to watch out for the taxpayer, we will not do it.

So what I would say to the Senator is, what you want to do is great. I am not against it. How you are doing it I am against. Unless we change how we do things here, until we start becoming responsible fiscally, there has to be somebody putting on the brakes. I don't want to be known as a Senator who blocks research, but in fact, as the doctor related, this can all be done, and they are probably doing it.

The Senator from Iowa voted for the reform of NIH. You proudly voted for the reform of NIH. Paralysis is a disease-specific category because it is based on a problem in terms of mobility. So it falls into a category.

I don't know whether he wants this specifically, but what I am saying to you is, if you will bring a bill with \$115 million worth of offsets to the floor in terms of authorization, we will say yes tomorrow.

The point is, until we establish with the American people that we are going to be as wise with their money as they are with their money, then we have to do some changing.

I do not apologize at all for standing in the way of this bill on principle. Somebody has to say timeout in this country in terms of spending. A newborn child born this year faces \$400,000 in unfunded liability. When you fund the \$115 million and if you offset it with something else, something else will get offset. The average increase in this area has been about 7.5 percent per year. What is the name of all those children who aren't going to get to go to college, will not have a great opportunity economically for the future, because we won't live within our means?

The last time I knew, when the airlines made money, they paid taxes. So, in fact, they are contributing to all those things that were mentioned because they are taxed at one of the highest corporate tax rates in the world.

One of the reasons the airlines can't compete is because we have a tax rate that essentially is close to 50 percent by the time we add in State income taxes. So they participated in the development of all those programs. They are great advancements.

Let's finish this debate. Let's talk off the floor. I will gladly work with Senator HARKIN to accomplish whatever he wants, but I will not break down on the letter I sent in January of 2007 that says I believe we have to change the way we operate. I know there is tremendous resistance to that in this body. I understand that. But the American people don't understand it. What they understand is they have to make hard choices. Either we mean to fund the \$115 million or we are sending a charade to the people who want this bill passed. It is one or the other. The fact is, they have had a chance.

I will also put in the RECORD that in the last Labor-HHS-Education appropriations bill, there was \$105 million that Senator HARKIN specifically put in for earmarks that he directed. That is real spending. That is enough to pay for the whole bill over 10 years.

The fact is, we have a major disagreement on specifics on how we control and how we change this country. I will fight for the taxpayer every time. I apologize to the Senator for some of my emotion. It is because I am thinking about the kids who are coming, not the political realm of today. I understand that we need to do more in NIH. I am on public record to take that to \$60 billion. I will pay for it, easily pay for it. There is \$80 billion worth of fraud in Medicare. What have we done about that? Nothing. We gutted the very program that cut spending for medical devices, durable medical equipment, the last bill through here. We had a way to save over \$2 billion a year. We gutted it. The Senator voted for it. He voted to gut the \$2 billion worth of savings.

So there are plenty of things we can do, but what we are not going to do anymore with my consent is to pass bills that increase the liability for our children in the future, even when we do it for the sake of doing something good.

I yield the floor.

Mr. HARKIN. You can look at society and say there are a lot of problems out there. You can look at this Congress and say we spend a lot of money that we don't agree on. There is a lot of money spent in this Congress I don't like, that I don't agree with. But does that mean this one Senator should stand here and stop good things from happening just because I don't like the way something is being spent, the way something is being done, that I should use the privilege of being a Senator, a privilege, a right, a privilege of being a Senator to just stop something that is good?

There are 435 Members of the House, not one objection; 99 Members of the Senate, not one objection. But one Senator, the Senator from Oklahoma, is concerned about deficits and about appropriations. OK. I agree. There are some problems. We have to face our deficits and debt. Does that mean, then, that we stop every good thing from happening around here until that is taken care of? That is taking the privilege of being a Senator way beyond what we ought to have a right to do, to stop something like this just because we are upset about something else that is bad about spending.

Heck, I can share with the Senator from Oklahoma a lot of horror stories about how we are wasting money in this Government. He doesn't have a corner on that market, I assure him. Some of the things he may think are wasteful, I might agree. Maybe some of the things I think are wasteful, he may not agree. I don't know. But that is how we work things out here, in a collegial manner, working together to try to get these things solved.

It is very hard to explain, when I tell people that one Senator can stop something like this. They don't understand how that is possible, but it is. One Senator can stop things around here. I wish this weren't so in this case because there are too many people with paralysis who were counting on us to get this done and move ahead to coordinate the research in paralysis and bring all of it together. But we never give up. We just keep trying.

I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from New Mexico.

Mr. DOMENICI. Are we in morning business?

The PRESIDING OFFICER. We are postclosure on the motion to concur.

Mr. DOMENICI. I ask unanimous consent to speak for 6 minutes as in morning business.

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

#### ECONOMIC BAILOUT

Mr. DOMENICI. Madam President, the House of Representatives today defeated the proposed financial rescue plan devised by a bipartisan, multi-institutional group. This action will precipitate an economic catastrophe for the United States of America. While the initial response to this ill-advised action has been so far limited to equity markets and corporate bond markets, I predict the defeat of this plan will soon permeate our entire economy. It will also have serious and not completely predictable consequences in all markets throughout the world.

The plan has many features in it that those who oppose had sought. It added many new safeguards for the taxpayer. Yet a rigid adherence to an ideological purity on both sides that has never existed in our Nation led many in the House to reject this plan.

I do not know right now in what form the consequences of this action will hurt the average American. Higher interest rates for houses and other things, other long-term purchases, a continued freeze on the tax credit markets, loss of jobs and contraction of the economy, loss of billions of dollars in pension plans—the consequences will come.

This action cannot be the last word this Congress has to say. I urge everyone involved to begin to work again immediately on adjustments to the plan that will at least satisfy a majority in the House.

This Congress has an approval rating at an alltime low. None of us should be surprised as to why. We cannot let the situation lie as it now is as a consequence of not passing in the House of Representatives. The leadership and those Members who feel compelled to get something done for the United States in a moment of great economic peril should come together and see to it that we do what is right.

It is difficult to do what is right because frequently our people do not understand. There are those who are obviously concerned that those who vote don't understand and indicate that we should not have a big bailout. This is not a big bailout bill. We got off on the wrong path when we started talking about bailouts.

There are no bailouts here. What we are going to do is buy assets, buy mortgages, buy promissory notes, buy things of value that, as of today, are very low in value and are clogging the pathways for money to flow. We are going to buy those. We are not going to bail anybody out. When we buy those, the channel will be open again. The road will be opened. The freeway will be opened. The cars will run. Money will flow. The liquid channels will become liquid again. Unless and until we do that, they are clogged.

The clogged items, the things that clog up our money market lines, are going to be purchased by this rescue plan. They will be owned by this rescue plan. This rescue plan will hold these assets as nobody else could hold them. It is too big a quantity and you cannot afford to hold them, but we can hold them and then sell them later. There is good indication and justification that if we do not wait too long that this rescue plan will sell these assets and perhaps we will come out with more money than we paid for the rescue plan.

We need this mechanism because in our democracy our President does not have the authority to do it. So somebody must do it, and it means Congress must, even though it is complicated, even though it is comprehensive, and even though it is hard for the public to understand. We must continue to explain this to the public. They will be wondering today and tomorrow and the

next day, as banking institutions fail, as other things around them that have money at the bases will stop working right.

As I said, so far the equity markets—that is the stock markets—they can see those falling perhaps by historically large numbers, percentages. Corporate bond markets—we have already seen the effect on them. But there will be other things happening that will make the people understand. But it should not be that we have to let all of these terrible things happen in order to get our heads together and know it is going to happen and try to fix it and tell our people we have to fix something that is broken and that will only cause them and their families more grief and more hard times if we do not use a rescue plan to buy those assets that are clogging the financial highways and freeways so that money will flow.

I know I have spoken two or three times on the subject. Some will say that is enough. But I will speak and I will argue and I will debate and I will attend meetings for as long as they go on with Senators and Representatives in an effort to make the vote that happened today not the last action on this terribly difficult subject for the people of the United States—a rescue plan to let the financial markets work in America.

The greatest financial markets in the world are soon to be rubbish, are soon to be in terrible shape. The best will turn out to be the least. In the meantime, we are all going to suffer. Just remember, without the flow of money we can hardly do anything in our country. We can hardly buy anything. We can hardly sell anything. Anything you look at of value can hardly happen without the flow of money, credit cards, checking accounts, bonds. All of those things we have become acquainted with that are taken for granted are in jeopardy because of what I have just described and what we hope has been described over and over.

For those who read, I urge they read the speech of Senator LAMAR ALEXANDER this morning on the subject. He used a metaphor that I have given to a group of Senators of a freeway full of automobiles at high speed going down the road, and each one of those cars was something valuable happening in America. When the six lanes of the road were clogged by a six-car accident, the cars loaded with good things for America, financial things, were all stopped because of the car wreck.

Now, if that metaphor makes sense, what our rescue proposal says is, go out and buy the salvage and get it out of the road. Let the cars flow, and each of those cars that contains things that will make our lives different and valuable will be flowing down the road. The salvage can be repaired and, believe it or not, sold for more than we bought it at in salvage off the highway.

That is as best I can do. As somebody said: But we need just one or two words to express it. Somebody answered and said: Yes, the American people like one or two words, but they also like a story. So I just told them the best story I can of what this is all about.

I hope before too long there will be more support so Members of the Congress, the House in particular, will be strengthened by some changes in public opinion that will give them confidence to vote for this rescue plan.

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

Madam President, I withdraw that suggestion and yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Well, Madam President, we certainly need to confront the challenges we are facing now with this banking situation. I know Senator DOMENICI is so eloquent and speaks with such conviction on it and believes strongly that we need to get busy.

The underlying business, however, at this time does remain the Amtrak bill, the reauthorization. That is the legislation the majority leader, Senator REID, has brought up. I would assume that the leadership is trying to figure out what to do in light of the House vote. If they want to proceed and discuss that legislation, I will certainly be glad to yield the floor to them. But I do think we need to talk about this reauthorization of Amtrak.

I have watched this issue for a number of years and have drawn increasingly concerned. The legislation provides \$9.7 billion for Amtrak and passenger rails through 2013 for operating and capital grants and debt repayment.

Operating—that means in simple language they are losing money, so we are going to make up their losses. Capital grants means they want more money to help them expand the system. Instead of the Amtrak system itself paying for this on a normal basis, they want the taxpayer to pay for it. Debt repayment—we have seen a lot of people having debt and not being able to pay their debt. It appears Amtrak needs a bailout because they cannot pay their debts. I wish we were in better shape, but the fact is, we're not.

It also includes an amount of \$1.5 billion for the Washington Metro Area Transit Authority—this is another \$1.5 billion on top of the money that has been put in that program for some time. What is it for? For capital and preventative maintenance. I guess that means keeping the system running.

I will talk a little bit more about that in a minute. But I would note that in 1997, a little over a decade ago, Congress had a big discussion about Amtrak and what to do about it, and there was a consensus that the system be fundamentally reformed and that there be new accountability for Amtrak. It provided, in 1997, that by 2002 there

would be no more Federal subsidies to Amtrak.

I tell you, we do not have accountability in this Government of ours. It is not functioning sufficiently in my view, and one reason is we make assertions, and when things do not work out the people who did not succeed at whatever task they were given—we just give them more money, and they know that. They expect that to happen, so they do not make the tough decisions necessary to be successful.

Kenneth Mead, the former Department of Transportation inspector general who dealt with accountability, succinctly stated it this way:

The mismatch between the public resources made available to fund inner city passenger rail service, the total cost to maintain the system that Amtrak continues to operate, and the proposals to restructure the system comprise a dysfunction that must be resolved in the reauthorization process of the Nation's inner city rail system.

Now, the Heritage Foundation, an exceptionally fine think tank, has looked at this, and they have concluded that we do not have the reform that Inspector General Mead said was necessary. In fact, they say that fundamentally this reauthorization makes little reform at all of significance, and this request for money may be the biggest Amtrak has ever asked for. I say we have a problem.

Let me share a few thoughts. I know many people have a romantic attraction to rail systems and want to see them successful and think we could do well if we could have more rails and people would ride the rails and it would save energy and we would all be happy and we could just, I guess, like the Orient Express, play cards and eat meals on white table cloths. Well, let's look at the reality of what we are dealing with.

I do not think Amtrak is going to work in Alabama. Our population is too diverse, and the routes it runs do not seem to fit the traffic patterns of people. I wish it could. I do not want to be a person to say don't send Amtrak through my State. Few people probably benefit from it. Few people might have a job depending on it. But sometimes we as a nation have to ask ourselves what is the proper utilization of our money, and are we making any progress.

I do not think you can justify many, perhaps most, of the routes Amtrak is running, but some of them could be. Some more of them could perhaps become viable if the losses they were taking in this system on bad routes were put into some of the marginal routes, where they upgraded them and they could run the system better, cleaner, and more timely, with fewer delays, and that kind of thing. But fundamentally the romantic view that we are going to have some sort of major international rail system does not seem to be realistic.

I remember as a child growing up in the country we used to say—I grew up on the railroad tracks. It was not but a couple hundred yards from my house to the railroad track. My daddy had a country store there. There were three country stores in that neighborhood and one railroad depot. So we had a passenger train.

When I was a young kid, a passenger train came through there. But there has not been a passenger train through Hybart, AL, in 40, 50 years. Now there is only one store left in the community and no railroad depot. It has been closed for many years.

Things happen. This country changes. People change. Let me ask this question to my colleagues. Would the Nation be better off if somebody in Washington, DC, said: Oh, that is such a shame. This little town of Hybart might lose their three stores, and they might have the depot closed. Maybe we ought to fund the railroad, give them enough money, bail them out, so they can continue to operate their passenger train through there. Would we be better off if we had done that? I do not think so. I hate to see it happen.

We also had a little post office attached to the house of my neighbor, and they closed that a number of years ago. That was heartbreaking. Mrs. Hybart from Hybart ran the post office. When she retired, they closed it. We hated to see that, but maybe the Postal Service was right. Maybe it was such a small operation it couldn't be justified to be continued. Somebody has to make decisions somewhere.

So let me point this out to my colleagues. Using my home State as an example, we have a train that goes through Birmingham and on up to Washington. Birmingham is our largest city. What are your options if you are in Birmingham and want to come to Washington, DC, our Nation's Capital? If you want to go on a commercial airline, which most people do, frankly, there are several flights every day, direct flights from Birmingham to Washington. If you take your personal vehicle you can leave anytime that you desire. You can leave early in the morning or you can leave midday, whatever. If you take the train, though, there is only one train a day leaving, and you have to leave at precisely that time or you don't get on the train. So that limits options at the beginning.

When people are deciding when and how to make a trip, they ask themselves these questions: What about the time it takes to make a trip from Birmingham to Washington, DC? Well, the air time is about 2 hours 12 minutes. The personal vehicle, if you drive by car, we calculate 11 hours. It may be 10 or 11 hours. By train, it is 18 hours.

How many stops would you make? If you take an airline, of course, a direct flight, there is only one stop—at Washington. If you take your vehicle, maybe

you make four or five stops, three or four stops. Let's assume you make four. But Amtrak, Amtrak makes 18 stops, and it does not take the shortest route to the Nation's Capital.

What about cost? How much does it cost? I was surprised, actually, when we looked at these numbers. I questioned my staff. Could it be an error? This is what they told me: The primary cost of a round-trip airline ticket from Birmingham to Washington is \$328. It has gone up some. That is what they tell me is the recent fare for this trip. If you look at your automobile, and there is only one person in the car—you may have four—but if one person is driving to Washington, it is about \$200 for the gasoline at the current high prices; \$4 or so a gallon. What about the Amtrak train ticket that is going to take 18 hours instead of 2, what does it cost? Four hundred and forty-five dollars.

So you think this may have something to do with why people are choosing to fly or drive, rather than take the train? I kind of wish it wasn't so. I wish there was some way we could make this different than it is, but those are the facts and that is why many of the Amtrak routes are not practical.

People say: Well, why don't we make more routes, more trips, more trains, more often every day, and maybe more people would use it. I don't think so. I think the losses would swell even larger. You can't make this happen, in my view. I wish we had a different statement I could say about it, but that is it.

One reason we maintain these routes around the country that are losing money substantially is because Congress maintains them because politics gets into it. Nobody wants to stand, as I am doing right now, and suggest it is not going to be the end of the world for the State of Alabama if we don't have an Amtrak running through there, if it is costing the taxpayers billions of dollars every year to keep it running.

I wish to mention, briefly, the Washington Metro earmark of \$1.5 billion. This includes Northern Virginia and the Maryland suburbs—some of the richest, most prosperous areas in the country. But they want us to send huge amounts of money here to fund the extension of their subway, their train system. I think we have a right—the people outside this area need to ask why they should do that.

Let me share this. My home county that I have been talking about has double-digit unemployment. It is reported by the New York Times that in my county—Wilcox County, where I grew up and went to school—the average citizen spends a larger percentage of their income on gasoline than any other county in America. So I guess what we are talking about now is we are going to ask people in my county who are

struggling to get by with high unemployment rates and low wages and long distances to work, to subsidize a big, fancy subway system extension and operation that goes beyond, what I think is fair. What principle is being utilized to decide this is a good allocation of limited wealth in America?

So this is a huge mark. It is a huge item. Let me tell my colleagues how huge it is. Our State, as I recall, under the formula for highway distribution moneys, with every State in America, is about average. Alabama is about an average size State in population and probably in size. The tax revenue from gasoline comes to the Federal Government and we allocate it out by complex formulas that we have fought over for years. Alabama and Mississippi felt as though we weren't being fairly treated, but we are doing a little better now under the formula. But the amount of money Alabama gets, as I recall, it is not much over \$500 million a year for the entire interstate highway system in Alabama to be utilized with the State highway money: \$500 million per year. Whereas, they who are pushing this Metro system—\$1.5 billion payment—would, in one project alone, be three times the annual funds that my State gets for highways. I don't think that is fair. I know it is a huge project. But, it is not a project I think can be justified. I wish we could do this and that would be good.

Somebody said: Well, Government employees like it. Many of them live out that way. Well, I have to tell my colleagues that Government employees are treated pretty well. You may not know this, but one reason they take subways is most of the agencies subsidize their ticket. If you take the Metro, the Government agency gives you a transportation allowance. So they have tried everything they can to incentivize riding the subway, but the Metro is still losing money. This is an additional subsidy from the Federal Government to the Washington Metro.

So I have to tell my colleagues I believe this is an important matter. I do not believe this legislation is sound. I don't think it is good for the taxpayers. I believe it is, in many ways, including this very large, one appropriation of \$1.5 billion, that is clearly unfair to the rest of the country. We shouldn't pass it. I am sorry the majority leader seems determined to move forward with this bill. But as I said, I would not object if he sets it aside temporarily, to discuss what we are going to do about the financial crisis.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

TRIBUTE TO SENATOR DOMENICI

Mr. COCHRAN. Madam President, it is with mixed feelings of remorse and pleasure that I speak on the subject of the retirement from the Senate of my

colleague and friend from New Mexico, PETE DOMENICI. He and his wife Nancy have been close and dear personal friends. When I was elected to serve in the Senate, they reached out to my wife Rose and me and made us feel at home and very comfortable in our new Senate environment. That was 30 years ago.

The Domenici family will surely be missed, but I know we will stay in touch. I wouldn't be surprised to get a call from PETE if he sees or hears about my not doing right on an issue he feels deeply about. He is not bashful, nor easily intimidated, and he is going to continue to be consulted for advice and counsel from time to time by me and others who respect him so highly and realize they would benefit from his good judgment and insight.

From public works to budget and energy, to appropriations, he has been a conspicuous and forceful advocate of public policy in the Senate committees. His contributions to public policy during the years of his service in the Senate are unsurpassed, and the genuineness of the respect in which he is held by his colleagues is unequalled. It has been a great honor to have served with PETE DOMENICI. I extend my sincere congratulations to him on his outstanding career in the Senate.

#### SPACED-BASED INTERCEPTOR STUDY

Mr. KYL. Madam President, today I wish to describe an important step towards providing the American people with a global, persistent ballistic missile defense system. This step is the space-based interceptor, SBI, study that was recently funded in H.R. 2638, the fiscal year 2009 Continuing Resolution, which contains the fiscal year 2009 appropriations for the Department of Defense.

Congress appropriated \$5 million for the Secretary of Defense to conduct an independent assessment of a space-based interceptor element of our missile defense system. This is the first time since the Clinton administration and a Democrat-controlled Congress in 1993 cancelled all work towards a space-based layer missile defense system that we have the potential to expand our space-based capabilities from mere space situational awareness to space protection.

In the past 15 years, the ballistic missile threat has substantially increased and is now undeniable. Today, at least 27 nations have ballistic missile defense capabilities, and last year alone over 120 foreign ballistic missiles were launched. North Korea and Iran are developing and proliferating ballistic missile technology and continue to be major threats to our allies and our deployed forces.

Developments in China, as illustrated in the 2008 Annual Report on Military