Mississippi, that of the Senator from Louisiana.

I ask unanimous consent the Senator from Louisiana be recognized for 90 seconds.

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

Mr. LANDRIEU. Mr. President, it will only take 90 seconds to thank Senator LOTT for his leadership and the two managers, Senator GRASSLEY and Senator Baucus, who have literally worked through this piece of legislation to help the people along the Gulf coast. This is part of a relief package that will help us to help ourselves, get our people back home, our businesses back to work, and the Gulf Coast on its feet, so we can continue to support the needs of this Nation through energy and commerce and trade.

I thank Senator LOTT particularly for the extra effort he has put into this bill. I thank the leadership for passing it this morning.

The PRESIDING OFFICER. Mr. President?

Mr. LANDRIEU. I yield up to 3 minutes to the distinguished Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 3 minutes.

Mr. CRAIG. Mr. President, I thank the ranking member of the Judiciary Committee for yielding. Let me also thank the chairman of the Judiciary Committee. I thought he gave a thoughtful overview of the progression of time and thought that has gone into the conference report that is before the Senate at this moment.

Of all that we do this year that is lasting beyond tomorrow, clearly the PATRIOT Act. One of those pieces of legislation, I say that because it deals with fundamental constitutional rights in this country. At the same time, it deals with our right to protect ourselves against foreign interests that might intrude upon our shores.

The chairman has said so well, it is a very precarious balancing act between the right of the free citizen and a civil society that is protected by law. That is what we as Senators are about at this moment. That is what I have always been about, along with my colleagues. That is why some of us joined well over a year and a half ago to say that when it came time to reauthorize the PATRIOT Act, here were some provisions that stopped us back toward the right of free citizens to be protected by their Government, in fact, against their Government’s law enforcement capability; while at the same time not hand-tying the ability of law enforcement and intelligence to come together to review, to investigate, and to determine whether someone’s acts were terrorist in nature and might put free citizens of our country in jeopardy.

I cannot, nor will I, vote for cloture today because I am here to defend what the Senate has already done so well in such a bipartisan and in such a thoughtful way. We will not adjourn this session of this Congress without a PATRIOT Act in place, whether it is the 3-month extension ordered or whether it is the chairman, as he said, and the ranking member sitting down with the House to once again shape, in limited ways, those areas we think are critically necessary to make sure the balance of our liberty is preserved. I say that is adhered to within a reauthorized PATRIOT Act.

So I would urge my colleagues’ calmness and sensitivity to the fundamental civil liberties of our country, as we worked so hard to balance them against our country’s and our Constitution’s and our Government’s primary responsibility; and that is to keep us safe and secure in a free environment.

I thank the ranking member for yielding and for the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Mr. President, we have only had 2½ hours of debate on this major legislation. We have very little time. I yield up to 3 minutes to the distinguished senior Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 3 minutes.

Mr. KENNEDY. Mr. President, Americans deserves laws that protect both their security and their civil liberties. This conference report does not. After years of doubt about the PATRIOT Act, this morning Americans woke up to more startling reports. For the past 3 years, the administration has been eavesdropping on hundreds of calls without warrants or oversight. These are the newspapers: “Bush Authorized Domestic Spying.” “Bush Lets U.S. Spy on Callers Without Courts.”

Well, the administration is not responding to the article, but they tell us: Trust us. We follow the law. Give me a break. Across the country and across the political spectrum, no one is buying it anymore.

This administration feels it is above the law, and the American people and our Constitution pay the price. There is no accountability. There is no oversight. The President continues to ignore history.

In the 1970s, Big Brother spied on its citizens, and the American people stood up and said “no.” President Nixon’s program, the COINTELPRO, allowed broad spying on law-abiding American citizens. We stopped Big Brother then by establishing the FISA court to ensure proper oversight and protections. Now this administration believes it is above even those protections.

This is Big Brother run amok. With these developments, we must take a step back and not rush the PATRIOT Act, further risking our civil protections.

The entire world is watching to see how we strike the balance between intelligence gathering and the Constitution. We cannot protect our borders if we do not protect our ideals. We need a bipartisan consensus that protects both our security and our liberty while restoring the public trust.

Our country is at a new low. Not since Watergate has there been such a lack of openness and honesty in our Government. Americans deserve better. The leaking of a CIA agent’s identity is the extreme example. The President promised he would clean house of anyone in the White House who had anything to do with the leak in the Plame case or the coverup. It has been suggested that the President himself may know the identity of the source, and I urge him to set the record straight.

The President needs to answer three questions: One, what did he know and when did he know it? Two, did he tell the special prosecutor, Fitzgerald, the story? And, else knows the facts? Cheney? Gonzales? Ashcroft? If Novak knew and the President knew, then the American people should know, too.

Mr. President, answer these questions.

In the last few days, we have heard a lot about whether America will be safer if the Senate approves the PATRIOT Act conference report this week.

Let’s set the record straight—our national security will not be 3 jeopardized—at all—if existing laws stay in place for 3 more months. These surveillance methods will expire only if the Republican leadership refuses to negotiate—even with Members of their own party.

We have unfinished business on the table. The conference report fails to do all we can to improve intelligence-gathering capabilities and legislative oversight.

Americans deserve a law that protects both their security and their liberties, and this bill does not.

We need to preserve the basic powers created by the PATRIOT Act, but we also need to improve the safeguards that are indispensable to our democracy. Civil liberty protections are a continuing source of our country’s strength—not just fringe benefits to be abandoned in time of crisis.

I will agree on the need for law enforcement and intelligence officers to have strong powers to investigate terrorism, to prevent future attacks, and to improve information-sharing between Federal, State and local law enforcement.

In the wake of the tragic events on September 11, Congress, the administration, and the country faced the urgent need to do everything possible to strengthen our national security and counter-terrorism efforts, and the original PATRIOT Act was our response to that need.

Even at that time, many of us had concerns about whether the law went

Continued
too far. In November 2001, Nancy Talanian and a small group of neighbors in western Massachusetts came together to launch the Bill of Rights Defense Committee—which has now become a nationwide movement to protect the Bill of Rights.

This small Massachusetts group encouraged similar community discussions across the country. Seven States and hundreds of local governments engaged in vigorous public debate on the scope of the PATRIOT Act. As of this week, 400 resolutions have been passed.

These efforts can’t be casually dismissed because the administration claims there have not been any "verified abuses" of the PATRIOT Act. The Republican leadership tells us that time has run out and this legislation must be passed without further debate. We are told that enough oversight has taken place.

But, I don’t doubt—2 years—for the Department of Justice to respond to questions from the Senate Judiciary Committee about the use of the PATRIOT Act tools. We didn’t receive the significant written answers until after the conference approved its bill.

We then learned that the Federal Government has only reported three instances in which a U.S. person was informed of a search because there was no national security interest in keeping it secret. Only three times has the Attorney General notified a United States person that they have been searched.

Yet, we read more newspaper stories about FBI mistakes. The FBI says it averages about 10 mistakes a year. As a result of litigation, the FBI has admitted publicly that unauthorized electronic surveillance has gone on for months before mistakes were caught.

Now, I want to try to do a good job—but how many mistakes does it take to count as an abuse?

This administration tells us that these reports of mistakes are because the information is being collected only about individuals linked to terrorism. Clearly, that is not the case.

I know personally about mistakes in the war on terror. Not long ago, I was on the no-fly list, and had to make a number of calls to clear up the resulting confusion.

Countless others have had a similar experience. I received a letter from a man in California. He had gone to the airport only to begin a vacation to Disneyland. Arriving at the airport, they encountered an unexpected surprise. His nephew, Liam Collins—at that time just 7 years old—was on the government’s no-fly list. Seven years old and on the no-fly list. Liam and his family convinced airport officials it was a “mistake.” Liam made it to Disneyland but he sent me a picture about his experience—which had become a memorable part of the trip.

Since then, Liam hasn’t traveled by plane, so no one knows whether the “mistake” has been fixed.

What about other mistakes? The Justice Department tells us that the so-called libraries provision has never even been used to search a library.

That may be just a clever way of saying that it is happening in a different way. Attorney General Ashcroft told Congress that “national security letters” would be the better tool for library searches anyway.

Maybe Ashcroft was right. The so-called libraries provision has only been used 35 times—but over 30,000 national security letters have been issued, according to the Washington Post. The public doesn’t know if that number is accurate, because the administration refuses to confirm it.

The conference report will require public reporting on the use. It will also require the Inspector General to audit their use.

But under these authorities, the Government is not required to obtain a court order before a library has no clear right to challenge demands for computer records in court. For consumers, there is zero protection—much less notice—if your records are taken by mistake. The recipient of a national security letter is barred forever from talking about it. While the need for secrecy no longer exists.

On these national security letters, the conference report has two major shortcomings. One of the most glaring omissions is the failure to include a provision to remove national security letters, which would be consistent and logical given the new reporting and auditing provisions contained in the conference report. Without doubt, it is more meaningful to have a sunset on a provision used 30,000 times than one that is used 35 times.

What we anticipated 4 years ago is abundantly clear now: 4-year sunsets are the only means to ensure adequate congressional oversight of controversial law enforcement and counterterrorism activities.

In addition, recipients of these orders should have a meaningful right to judicial review. The administration’s acquiescence in giving recipients the right to consult an attorney is not a meaningful concession. The Justice Department has already taken that position in litigation. The conference report does not advance civil liberties on that point. In fact, it makes it harder to win in court. The conference report has two major issues: The sunset provision for national security letters has been issued, according to the Washington Post. The public doesn’t know if that number is accurate, because the administration refuses to confirm it.

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This conference report, however, failed to meet the 9/11 Commissioners’ recommendations. It is especially alarming that the Commissioners’ report urged grave failing grades in key areas of need. Obviously, America is not as safe as it should be.

Spying on library computers is no substitute for strong and effective surveillance methods. The executive branch has failed to meet the 9/11 Commissioners’ burden of proof—much less the burden of persuasion. The American people are not convinced that these methods achieve the right balance between our national security and protection of our civil liberties.

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the PATRIOT Act reauthorization conference report. While this agreement does not give everyone all that they want, it is the result of lengthy, difficult negotiations. It represents a reasonable compromise for all parties involved, and it extends tools important to our national security, while enhancing civil liberties protections.

It has been more than 4 years since the terrorist attacks of September 11, 2001. In the days, weeks, and months since that day, the American people have banded themselves for the possibility of another terrorist attack on our homeland.

After all, we know all too well that al-Qaida is a stealthy, sophisticated, and patient enemy, and its leadership is motivated to launch another devastating attack on American citizens and soil.

Outside the United States, al-Qaida and its affiliates have continued to be remarkably active, responsible for numerous attacks, spanning the globe from Pakistan to Bali, Spain to London.

It is precisely because al-Qaida is so aggressive, so motivated, and so determined to destroy America that I am grateful that, to date, they still have not successfully launched another attack on our soil. There are undoubtedly many reasons for this. First and foremost: the brave men and women of our Armed Forces. They are fighting the battle overseas so that we do not have to face them at home. Also, our efforts to strengthen antiterrorism and law enforcement tools through the USA PATRIOT Act has had much to do with this record of success and peace to date.

This diligence that has kept us safe at home must continue. The war on terrorism must be fought aggressively—but consistent with the protection of civil rights and civil liberties. That is why I am disappointed when we witness false reports and scare tactics about phantom civil rights violations. Such reports and tactics serve no legitimate cause—but they do a grave disservice to the American people. Whenever real civil liberties problems do arise, we must learn about them right away, so that we can fix them swiftly. Congress works hard to strike both a careful and wise balance between national security and civil liberties. That is why I am disappointed when we witness false reports and scare tactics about phantom civil rights violations.

Report issued by the Department of Justice’s independent inspector general have repeatedly found no systematic abuses of any of the provisions of the PATRIOT Act. Second, these provisions are carried out by professional and dedicated law enforcement officers in a way that respects the rights of all Americans.

It has been said that time is a great healer. And, as time goes by, the shock we all felt following the 9/11 attacks has abated, somewhat. But as we recall those terrible memories, we are reminded of the institutional failures of our Government that failed to prevent the attacks. And we as a Nation, and the Congress in particular, vowed to tear down the walls that prevented information sharing, and to enact other tools vital to defending this country. It is clear that the PATRIOT Act has played a significant role in this process, as it has been instrumental in dismantling terrorist cells from New York to Oregon.

The failure to pass this conference report will cause these critical tools to lapse. It will weaken our country by reverting to September 10th-era tools. We cannot allow that to happen. We are living in profoundly different times. I believe the day is clearly over when the Government can say that they feelings about the PATRIOT Act from all quarters. I and others support the PATRIOT Act and have been vocal about making these provisions permanent.

Because not everyone agrees with this view, the report required the Congress to reach an agreement that achieves the dual goals of continuing these critical authorities and enhancing congressional and judicial oversight.

The conference report retains 4-year sunsets for two of the most controversial PATRIOT Act provisions, the multipoint or “roving” wiretaps and the business records provision. It also includes a sunset for the “Lone Wolf” provision added to the Foreign Intelligence Surveillance Act by last year’s Intelligence Reform Act.

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Senator SPECTER and others on the conference attempted to address civil liberties concerns in this bill, for example, dealing with the delayed search warrant provision. As my colleagues know, this section is not to sunset. Nevertheless, recognizing the sensitivity to this provision certain Members and I have preferred the 10-year sunsets included in the House-passed version.

The conference report allows for extensions but only “upon an updated showing of the need for further delay.” Also, it limits any extensions to 90 days or less, unless the facts justify a later date.

Although the 30-day period is a few weeks longer than the limit contained in the original Senate bill, it is considerably shorter than the 180 days permitted under the House bill. The conference report allows for extensions but only “upon an updated showing of the need for further delay.” Also, it limits any extensions to 90 days or less, unless the facts of the case justify a longer delay.

It also adds new public reporting on the use of delayed search warrants, so that Congress and the American people will be better informed about the use of this provision.

My time is short today, but I want to briefly mention other civil liberties protections Chairman SPECTER negotiated. The report made explicit the ability of recipients of NSL letters and 215 orders to seek judicial review. Significantly, on both of these authorities, the conference report requires the inspector general to conduct two audits under existing legislation. It also provides the Congress with information on the use of NSLs. It also includes a provision in the conference report that joins the Senate’s version to extend the Patriot Act’s authority to target terrorists.

Beyond this proposal, I want to discuss some of the specific items addressed by the conference report and try to explain why I think this report should be supported, beginning with sunsets.

I have stated that I oppose sunsets for this important legislation. I believe that our intelligence and law enforcement officials should never again be left wondering whether the Congress will manage to agree to reauthorize the tools that protect our Nation.

But realizing that there are those who feel these sunsets are important to the negotiations, it is not necessary to reauthorize the sunrise even though if we were going to have sunsets I would have preferred the 10-year sunsets included in the House-passed version. This conference report retains 4-year sunsets for two of the most controversial PATRIOT Act provisions, the multipoint or “roving” wiretaps and the business records provision. It also includes a sunset for the “Lone Wolf” provision added to the Foreign Intelligence Surveillance Act by last year’s Intelligence Reform Act. This guarantees the Congress will review these provisions and continue to conduct rigorous oversight.

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Congress. It further creates new reporting requirements to Congress for the use of emergency authorities under FISA and requires new reporting on the use of emergency disclosures of communications information made under Section 212 of the PATRIOT Act. And it reinstates a modified version of the data-mining report contained in the House-passed bill which will require the Department of Justice to submit a report to Congress on the Department’s data-mining activities.

I also want to mention another provision contained in the conference report because it is based on legislation that I introduced in the Senate. The Narcotics-Terrorism Prevention Act confronts the new reality and very real danger of the deadly mix of drug trafficking and terrorism.

Terrorists, like the old organized crime syndicates from the past, have recognized that illegal drug trafficking is a valuable source of financing and another threat to our country. My State is experiencing the collateral effects of a drug war being carried out by modern day narco-terrorists in Nuevo Laredo, Mexico. News reports have described an ongoing battle between cartels over drug smuggling routes from Mexico into the United States. These organizations assassinate police officers and other government officials in a clear attempt to force the local government to allow these organizations to carry on their illegal activity, unimpeded. Our government needs every available tool at its disposal to combat this activity.

This new provision makes it a Federal crime designed to punish the trafficking of controlled substances which are intended to benefit a foreign terrorist organization or any one else planning a terrorist attack. It also carries stiff penalties for anyone convicted. Importantly, it provides for extraterritorial jurisdiction which allows law enforcement to reach beyond our borders to arrest and deter those who intend to carry out a crime of this nature.

Mr. President, I have opposed changing the core provisions of the PATRIOT Act and have opposed any increase in the burdens for terrorism or national security investigations or on terrorism or national security investigators because they should have the same tools available to them as do ordinary law enforcement investigators.

We must remain vigilant, and we must make sure that evidentiary hurdles do not creep back into the law in terrorism and national security investigations. We should avoid moving back to the pre-9/11 mindset. I believe that the package before us today continues the reforms we have made in the post-9/11 period, and I intend to vote in favor of this package.

Mr. JEFFORDS. Mr. President, since the beginning of our country’s history, Americans have recognized the vital importance of balancing the safety and security of our people with the need to uphold civil liberties in our society. There have been times when the Congress has succeeded in achieving this fine balance, and there have been times when the Congress has failed to do so.

In 2001, I supported the passage of the PATRIOT Act because I believed the legislation that emerged from the conference between the House and the Senate had achieved this goal. However, this legislation has since been used for purposes beyond what we had envisioned 4 years ago, and that troubles me. As a result, I have cosponsored the Security and Freedom Enhancement, SAFE, Act, which would modify the law.

I was pleased to support the legislation to reauthorize the PATRIOT Act as it unanimously passed the Senate earlier this year. This version reflected many of the important changes contained in the SAFE Act. It would have restored the balance between security and civil liberties, while the House-passed bill tipped the balance away from civil liberties. I was hopeful the final conference report on this legislation would reflect the Senate version, but unfortunately, this is not the case.

This conference report falls short in restoring the balance between security and civil liberties, and therefore I cannot in good conscience support its passage. The conference report falls short because the legislation contains no sunset for controversial provisions like “sneak and peek” warrants; the legislation’s standard for being able to obtain records is only mere relevance, rather than requiring an actual connection with a spy or terrorist; the legislation makes it nearly impossible to obtain a meaningful judicial review of production orders and the gag orders that accompany them; and the legislation allows for a disturbing lack of notice to individuals whose records are obtained under the law.

In short, this legislation fails to restore the critical balance between security and civil liberties, a balance that I believe all Americans consider a vital part of our democracy. Therefore, I will oppose limiting debate on the conference report and final passage of the conference report in its current form. Given that the end of the session is fast approaching, we should pass a short-term extension of the expiring PATRIOT Act provisions, as advanced by Senators LEAHY, SUNUNU and others, to allow this conference report to be improved and ultimately strike the proper balance.

Mr. AKAKA. Mr. President, today I raise my strong concerns about news reports regarding the administration’s blatant disregard for American’s privacy rights and civil liberties. I am shocked by the recent revelation that President Bush secretly authorized the National Security Agency to eavesdrop on phone calls outside the United States to search for evidence of terrorist activity without court-approved warrants. I am equally appalled by the Pentagon’s dismal enforcement of guidelines that require deleting information on American citizens from a counterterrorism database within 3 months if they pose no security threats.

Government agencies are not following policy guidelines designed to protect the American people. Just this summer, the nonpartisan Government Accountability Office issued a report at my request which found that agencies are not following policies designed to protect personal information in Federal data mining systems. Considering that there are nearly 200 data mining systems in the Federal Government, these actions pose real threats to Americans’ privacy.

Merely having policies and safeguards in place does nothing if agencies are not following the law. As such, I cannot vote to renew some of the most troublesome PATRIOT Act provisions that threaten civil liberties, including the Government’s far-reaching powers to obtain personal, medical, library, and business records or conduct “sneak-and-peek” searches, without ensuring that meaningful checks and balances are in place.

I want to assure the people of Hawaii and all Americans that I am working on legislation to strengthen Federal privacy laws.

Mr. BINGAMAN. Mr. President, I rise today to speak in opposition to closing off debate on the PATRIOT Act conference report as it has come back to the Senate.

The events of September 11 demonstrated various deficiencies in our understanding of the terrorist threat and our capabilities in terms of combating terrorism. In response, Congress acted decisively and passed the PATRIOT Act to ensure that our government has all the tools necessary to protect the American people. I supported that legislation.

The PATRIOT Act, as originally enacted, was 942 pages long and contained 10 titles and 116 sections. The bill improved our laws with regard to international money laundering, terrorism financing, intelligence gathering, surveillance, cooperation between law enforcement and intelligence authorities, and strengthened existing criminal laws relating to terrorism. The vast majority of these provisions are not expiring. They remain the law of the land. Indeed, only 16 of the most controversial sections in the bill contained sunset provisions.

Congress recognized that we were extending to law enforcement and intelligence authorities expansive new surveillance powers and that it was important to go back and look at how these powers have been used and whether we needed to make any changes in the law to assure that Americans’ civil liberties are protected. While I support the reauthorization of these expiring provisions, I believe that there are
changes that need to be made to address some of the problematic provisions.

Let me be clear. I support giving law enforcement the tools necessary to aggressively fight terrorism but believe that the modifications are required to ensure that we protect constitutional rights and properly balance civil liberties with national security concerns. To this end, in July the Senate unanimously passed a bipartisan bill that would reauthorize the PATRIOT Act with important safeguards in place to protect the rights of Americans. Although this bill wasn’t perfect, it struck a reasonable balance between giving law enforcement the tools they need and protecting civil liberties.

When the PATRIOT Act was originally passed in 2001, Congress provided that some of the controversial provisions, such as section 215 which allows the Government access to library and medical records, would expire in 2006.

Once it became clear that the current version of the bill falls short with regard to section 215, the so-called library provision which allows the Government to obtain sensitive personal records, including library, business, and medical records of Americans, the Government merely saying that they are relevant to a terrorism investigation. This provides the Government almost unfettered authority to look at the personal records of Americans. Under the Senate-passed version of the law, the Government would have to demonstrate that the person whose records they are seeking has some connection to a suspected terrorist or spy.

In particular, the Government would have to show that, No. 1, the records pertain to a suspected terrorist or a spy; or No. 2, that the records pertain to an individual in contact with a suspected terrorist or a spy; or No. 3, that the records are relevant to the activities of suspected terrorist or spy.

It is reasonable to require that if the Government is going to look at the private records of Americans without a traditional warrant that the Government show at a minimum that the request for records has some connection to a terrorist and isn’t just part of a fishing expedition.

In addition, when a person receives a section 215 order requesting medical records or library records, the person who receives this request is subject to an automatic and permanent gag order that prevents them from speaking about the order or challenging the gag order in court. Similar restrictions on challenging gag orders have been found to be unconstitutional and a violation of the First Amendment.

Another section of the bill that is of great concern relates to national security letters, or NSLs. These requests for documents are similar to section 215 orders except that they do not require any court approval at all. Although a section 215 order needs to be approved by the Foreign Intelligence Surveillance Court, a NSL is simply issued by the FBI, without any judicial review, to a business to obtain certain records, such as financial records, that it believes are relevant to a terrorism or intelligence investigation.

The conference report does allow a NSL recipient to challenge the NSL in court, but it also stipulates that regardless of whether there are national security concerns, all of the Government’s submissions are secret and cannot be shared with the person challenging the length of the gag order. Thus, the business being denied knowledge of the “governmental submissions” is not the target of the investigation but the recipient of the order for the requested documents.

Also the recipient of the NSL is subject to an automatic gag order. Although the gag order can be challenged in court, the only way to prevail is to demonstrate that the Government is acting in bad faith, a burden that is almost impossible to meet.

I also have concerns about other aspects of the conference report, such as the “sneak and peek” provision which allows law enforcement to search homes without notifying individuals of the search for an extended period of time.

This bill has profound implications on the constitutional rights of Americans, and I sincerely believe that we shouldn’t be hastily approving a bill that falls short of adequately protecting civil liberties.

Simply reauthorizing the most controversial provisions and saying that we will take another look at the bill in 4 years when the new sunset provisions expire is not the appropriate way to deal with this issue. It has been 4 years since the bill was enacted and it is time that Congress addresses the substantive problems with the act.

The Senate has demonstrated that it is prepared to reauthorize all of the expiring provisions, and there is no need to pass this version of the bill in its current form. As theith Senator LEAHY that we should temporarily extend the PATRIOT Act for 3 months to give Congress more time to work out the remaining issues in a thoughtful way. It is my hope that a solution can be reached that reflects the common sense improvements that were included in the Senate-passed version of the bill.

Mr. BAUCUS. Mr. President, I rise today to speak about the Combat Meth Act. I am proud to be a cosponsor of the Senate-proposed amendment, which addresses a problem that impacts every aspect of our society. I was excited when the Combat Meth Act was included as part of the Commerce, Justice, State Appropriations bill this year, which would have allowed for the establishment of a log book for these products, I still do not believe we have done enough to solve the methamphetamine problem.

Amendments to the conference report changed the drug kingpin statute and lowered the eligibility thresholds for life sentences. This is not what we need most. We need to work more on prevention efforts.

Though I voted to oppose cloture on the PATRIOT Act, I support the Combat Meth Act and the need for legislation on this important issue. We must help solve the methamphetamine problem.

In conclusion, I believe that we should work together to bring this piece of legislation to a vote as soon as possible and support its reauthorization when the Senate considered its bill earlier this year.
But even in the immediate aftermath of the September 11 tragedy, Congress recognized that in its haste to give law enforcement these expanded powers, there was a risk that this new authority was coming at the expense of constitutional guarantees of rights and liberties. In the wisdom of both Republican and Democratic legislators, several provisions of the PATRIOT Act included 4-year sunsets, allowing Congress the opportunity to revisit whether the PATRIOT Act strikes the proper balance between protecting our safety and ensuring our freedom.

I have very serious concerns that the current PATRIOT Act reauthorization conference report, which was negotiated largely without the input of Democrats, does not do enough to strike this proper balance. I believe that we can be both safe and free. The conference report falls well short of achieving that goal. I am hopeful that bipartisan negotiations can result in a compromise that is acceptable to both parties and included in the one sent to the Senate in July, a bill which did a far better job of protecting our civil liberties.

The current conference report fails in many respects.

Section 215 of the PATRIOT Act gives law enforcement in domestic intelligence investigations nearly limitless power to obtain all types of personal records, including business, library, and medical records. Under current law, law enforcement agencies are required to demonstrate that the records it seeks are “sought for” a terrorism investigation. Upon such a showing, a secret court is required to issue the order. This is an extremely lenient standard, one that for the first time gives the Government almost unchecked access to the sensitive personal information of innocent Americans. To compound matters, the third party—business, libraries, hospitals, and so forth—are recipients of these orders and are subject to an automatic gag order. They cannot tell anyone that they have been asked for these records, including the person whose documents the Government is seeking.

Given its broad scope, this provision has tremendous potential for abuse. Innocent Americans should not be subjected to these possible intrusions when adequate safeguards can be written into the law. If we find that we need to sacrifice the utility of these orders as a law enforcement tool, Americans should not have to hope that the Government will demonstrate self-restraint in its exercise of this power, nor should they fear that their personal records will be part of a Government fishing expedition.

The Senate bill, which I supported, not only required the Government to meet a higher standard before issuing these orders, it also gave recipients of a FISA order an explicit and meaningful right to challenge these orders and their accompanying gag orders in court. The conference report sadly re-tains a variation of the current law’s exceptionally lenient standard of review, a standard that effectively turns the courts into little more than a rubberstamp. Further, the conference report does not give the recipient of a gag order the right to seek meaningful judicial review of its gag order. Quite simply, the conference report places inadequate checks on these orders.

Another failure of the conference report was exposed in an article appearing in the Sunday, November 6, 2005 edition of The Washington Post, which brought to light a very troubling practice by the FBI that underscores the importance of adopting proper safeguards.

National security letters, NSLs, are administrative subpoenas that allow the FBI to obtain sensitive information about ordinary Americans in national security cases. NSLs are issued by FBI agents without the authorization or approval of a judge, grand jury or prosecutor. While the FBI has long employed NSLs, the PATRIOT Act greatly expanded their scope, significantly lowering the standard for their issuance. This report card was a condemnation of this law enforcement tool. Americans should not have to hope that the Government to get any court approval of these orders. The result has been, according to The Washington Post, a “hundredfold increase” in their use, with the FBI annually issuing thousands of NSLs demanding private information about ordinary Americans not necessarily suspected of any crime.

These NSLs are governed by strict gag orders that prevent companies from telling their customers that their records were given to the FBI. As this description suggests, NSLs are very similar to section 215 FISA orders—but with one very critical difference—NSLs do not require the Government to seek any court approval whatsoever. While NSLs can be an important tool in our fight against terrorism, their unfettered and unchecked use makes them susceptible to abuse that infringes upon the privacy of innocent people. The Senate version of the PATRIOT Act reauthorization bill created important checks on the power to issue and enforce NSLs—protection absent from the conference report—without hindering the effectiveness of this law enforcement tool.

Other sections of the conference report give rise to additional concerns. The conference report would give law enforcement the free-wheeling power to impose roving “John Doe” wiretaps without the safeguards needed to protect innocent Americans from unnecessary surveillance, casting aside important checks on this power that were included in the Senate bill. The report would also give the FBI the right to enter and search a home or business without hindering the effectiveness of this law enforcement tool.

Apart from these civil liberties concerns, the greatest short-coming of the conference report is its failure to incorporate a threat-and-risk-based formula for the allocation of critical homeland security funds to our local communities, States, and first responders. This deficiency was emphasized just last week by the former 9/11 Commission, which issued a blistering indictment of our homeland security failures.

As I said earlier, I have long maintained that protecting the security of our citizens and our homeland is the most important responsibility I bear as a Senator. To that end, I believe that to truly make America safer, we need to carefully allocate our homeland security resources. We need to make sure that the money gets to where it is needed, that our American cities and States are receiving adequate funding to receive the funding they need to protect themselves. Unfortunately, up until now, a substantial portion of our homeland security money has been allocated according to congressional mandated formulas that bear little relation to need and risk.

Our resources should be dedicated to addressing our most glaring weaknesses. During their negotiations, I encouraged my House and Senate colleagues considering the PATRIOT Act reauthorization bill to account for this reality in our homeland security funding. I have maintained—as the former 9/11 Commission reiterated in its report last week—that lawmakers should cease playing politics with the allocation of our limited resources by promoting distribution formulas that ignore risk and threat. The Commission’s report card was a condemnation of this administration and the Congress, both of whom have demonstrated a little urgency in enacting the reforms needed to properly secure our homeland and fight the war on terror.

The former 9/11 Commission sent a clear, discernible message to the entire Nation last week—reform is needed at all levels of Government. The failure to incorporate in the PATRIOT Act conference report a much-needed threat-based formula for the allocation of homeland security funds is a major shortcoming and needs to be corrected.

As I noted at the outset, apart from these concerns, the PATRIOT Act contains provisions that provide law enforcement with important tools in the war on terror. Because we cannot afford to be without these tools, I am supporting bipartisan legislation that will extend the sunset provisions of the PATRIOT Act by 3 months. Just because we are coming up against the end of the year does not mean we should have to compromise the rights of law-abiding Americans. This extension will preserve the current state of...
It is my hope that the distinguishedSenator from New Hampshire is recognized by the President. Let me agree with Senators who have spoken out very sharply in opposition to the government’s invasion of civil liberties. I am disturbed by recent reports that the Department of Defense is maintaining a database in order to monitor the activity of peaceful antiwar groups.

While we all recognize the importance of equipping our law enforcement with the tools they need to effectively combat terrorism, we also must ensure that those tools are administered in a manner that does not unnecessarily restrict the freedom and liberty that are the hallmark of American life. Like all Americans, I am troubled by recent reports that the Department of Defense is maintaining a database in order to monitor the activity of peaceful antiwar groups. The balance between the urgent goal of combating terrorism and the safeguarding of our most fundamental constitutional freedoms is not always an easy one to draw. However, they are not incompatible, and unbridled and unchecked executive power is not the answer.

I believe the conference report falls short of this goal, and I am hopeful that with more time, those negotiating these provisions will find the proper balance.

Mr. Pryor. Mr. President, I would like to state for the record that I am disappointed we were not able to pass a version of the PATRIOT Act today. My vote against cloture should not be viewed as a vote against the PATRIOT Act. It should be seen as a vote for balance.

I think most Americans want legislation that keeps us safer from the threat of terrorism, but they also want their civil liberties protected. The version of the PATRIOT Act, which passed the Senate earlier this year with my support, struck that balance. Unfortunately, the conference report we have before us today does not.

The conference report is as vague and general as its predecessor. It is not clear what the government intends to do or what it is trying to prevent. It contains broad language that could potentially infringe on the civil liberties of all Americans.

My vote against cloture should not be seen as a peremptory move to kill this bill. I am voting today to allow conferees more time to get it right. I join my colleagues in a bipartisan push to extend the current PATRIOT Act 3 months. Like many others, I am hopeful that this bill down can be resolved. It is my hope that the distinguished majority leader allows us to move forward with a vote on this extension.

The President. Mr. President, I want to make improvements to the PATRIOT Act. Specifically there is a gag order requirement on national security letters that can only be overturned by a showing of bad faith on the part of the Federal Government. This is a requirement that will never be met by any individual or small business.

There is no judicial review explicit of the 215 gag order in the bill. This section requires that all evidence from the recipient of a 215 order is kept, even if it is classified. It requires that if you are the target of one of these orders you must identify any lawyer you speak with to the FBI. To the best of my knowledge, this is a provision that exists nowhere else in law and could have a chilling effect on the individual’s right to counsel. But more importantly it is unclear how eliminating this provision, and allowing one who receives a 215 warrant or national security letter to have the same right to counsel as anyone who is served with a normal subpoena undermines the multi-branched nature of the system. We should not be afraid of a judicial review or setting the appropriate standards of evidence. We need to be mindful of Ben Franklin’s words over 200 years ago: Those who would give up essential liberty to buy a little temporary security deserve neither liberty nor security.

We could pass a 6-month extension or take up the Senate bill which is on the calendar and still respect important freedoms. We need to be more vigilant and we can do better.

Mr. Leahy. Mr. President, I yield up to 3 minutes to another member of the
conference, the distinguished Senator from Michigan. The PRESIDING OFFICER. The Senator is recognized.

Mr. LEVIN. I thank my friend from Vermont.

Mr. President, when this bill left the Senate, under the leadership of Senators SPECTER and LEAHY, we had a balanced bill with provisions which protected both our security and our liberty. We are all very much in their debt for the bill that left the Senate a few months ago. But what now has come back to the Senate is a bill which contains provisions which could sweep into the net of a fishing expedition the most private records of innocent Americans. The conference report amends section 215 of the PATRIOT Act. This is one of many examples, and 3 minutes only allows one example. Section 215 permits the Government to seek court orders, to compel the production of any tangible thing, including library and medical records, in a foreign intelligence investigation. Under the new provision, the Government need not describe, much less identify, a particular person to whom the records relate. The PATRIOT Act’s standard in the conference report now narrows the scope of records that the Government can subpoena to less than the entire universe of records of people who, for instance, patronize the library or visit a doctor’s office.

One example of that: The Government could seek all of a doctor’s records, if it has an allegation that some unidentified patient of the doctor was sending money to an organization in the Middle East that was being looked at as part of a foreign intelligence investigation and the Government thought that reviewing all of the records of that doctor might help identify that unidentified person.

Therefore, the Government argues, all of those records are relevant to a foreign intelligence investigation.

The same thing with library records; all of a library’s records would be subject to being turned over to the Government if the Government has an allegation that somebody, one unidentified person, is using that library for some purpose; for instance, its computer, to turn over certain customer information that the records sought and the Government thought that reviewing all of the records of that doctor might help identify that unidentified person.

Mr. President, when this bill left the Senate, it had protective provisions against that. There had to be a showing, not just of relevance to a foreign intelligence investigation, but of a showing that the records sought were relevant and either pertained to a foreign power or an agent of a foreign power, or an agent of a foreign power, were relevant to the activities of a suspected agent of a foreign power who is the subject of an authorized investigation, or pertained to an identifiable individual in some way or known to be a suspected agent.

In other words, the order had to be linked to some identifiable individual or suspected agent. Those protections are missing.

This is not the first time that Congress has addressed this issue. For instance, the Internal Revenue Code places limitations on what it calls a ‘‘John Doe’’ summons for the production of certain taxpayer records.

Under 26 U.S.C. 2709 any summons which:

1. Does not identify the person with respect to whose liability the summons is issued or the purpose for which the summons is issued; or

2. Is a John Doe summons for the production of any internal revenue law, and

3. The information obtained by the summons is not readily available from other sources.

The conference report is similarly flawed in its treatment of National Security Letters or NSLs. NSLs compel phone companies and banks, for example, to turn over certain customer records because the Government is investigating a person who has not been charged with a crime.

To add insult to injury, if the library wanted to seek legal advice, this conference report requires the library to tell the government who it had consulted even if the lawyer consulted had turned down the case.

The conference report is similarly flawed in its treatment of National Security Letters or NSLs. NSLs compel phone companies and banks, for example, to turn over certain customer records because the Government is investigating a person who has not been charged with a crime.

And, like 215 court orders, if the recipient of an NSL wanted to seek legal advice before turning over records, the conference report would require the recipient to tell the government who they had consulted.

Also troubling about the NSL authority is that there is no requirement that the government destroy records acquired with an NSL that are irrelevant to the investigation under which they’ve been gathered. These are records that relate to innocent Americans. The government should be required to destroy them if they contain no relevant material. I outlined many of my concerns in a December 7th letter to the Chairman and Ranking member of the Senate Judiciary Committee. I’d ask consent that a copy of that letter be placed in the record.

As I and my fellow Senate Democratic conferees said in a December 8th letter to the Chairman of the Senate and Senate Judiciary Committees, the conference report falls short of what the American people have every reason to expect Congress to achieve in defending their rights while advancing the war on terrorism. Congress should not rush ahead to enact flawed legislation to meet a deadline that is within our power to extend. We owe it to the American people to get this right. If three more months are needed to make this an acceptable bill, then we should take and prudently use that time.

I ask unanimous consent to have printed in the RECORD a letter dated December 7, 2005.

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

U.S. SENATE

Senator Arlen Specter,
Chairman, Senate Judiciary Committee, Dirksen Senate Office Building, Washington, DC.

Senator Patrick Leahy,
Ranking Member, Senate Judiciary Committee, Dirksen Senate Office Building, Washington, DC.

Dear Chairman Specter: The USA PATRIOT Act responded to the terrorist attacks of September 11th by giving law enforcement agencies important new tools to use in combating terrorism. However, as I outlined in the Senate floor of the conference report, the USA PATRIOT Act is not perfect. The bill’s sunset provisions give us the opportunity to revisit the law so we can both protect national security and the civil liberties of American citizens.

As we have discussed, I am troubled that, in some important areas, the most recent draft of the conference report falls short of the goal. Some of my concerns are described below.

Standard for 215 court orders—The bill passed by the Senate and signed into law in March of 2006 included a reasonable middle ground between the standard that existed prior to the PATRIOT Act and that
which the PATRIOT Act established for the FBI to access sensitive records of American citizens with Section 215 orders. These orders can compel things like library records that reveal the reading habits or library patrons. Some of these provisions are directed at libraries and medical records. While technical changes to the Senate-passed language may be warranted, I am concerned that the conference report does not address the nexus required in the Senate-passed bill between the records sought and the target of an investigation. I believe that the relevance standard in the conference report would instead establish for access to these records, does not cure the problem.

Nondisclosure requirements for 215 court orders—The most recent draft conference report permits the Federal Bureau of Investigation (FBI) to attach nondisclosure requirements to 215 court orders but does not permit recipients of such orders to challenge those nondisclosure requirements in court. I am troubled by what could amount to a permanent, unreviewable restraint on the First Amendment rights of American citizens. I am also troubled that, while the draft permits recipients of 215 orders to disclose the receipt of such an order to a lawyer to obtain legal advice, it requires recipients to tell the FBI, if asked, from whom they have sought or plan to seek legal advice on how to respond to the order.

Nondisclosure requirements for National Security Letters (NSLs)—The most recent draft conference report permits recipients to challenge those nondisclosure requirements attached to NSLs. However, under the draft report, the court may only modify or set aside an NSL nondisclosure requirement if there is no reason to believe that disclosure may endanger national security, interfere with an investigation, diplomatic relations or endanger the safety of a person. In addition, if the Attorney General or another specified senior official certifies that disclosure may endanger national security or harm diplomatic relations, the court’s discretion to modify or set aside the nondisclosure requirement is virtually eliminated. In addition, like 215 orders, the draft permits recipients to disclose the receipt of an NSL to a lawyer to obtain legal advice, but also requires recipients to tell the FBI, if asked, from whom they have sought or plan to seek legal advice on how to respond to the order.

Destruction of irrelevant NSL records—the latest draft conference report contains no requirement that the government destroy records on NSLs that are irrelevant to the investigation under which they were gathered. The government should be required to “minimize” the records of innocent American citizens that are acquired through the issuance of an NSL.

The PRESIDING OFFICER. Is there objection to adding 5 minutes to each side?

Mr. SPECTER. Mr. President, if they need more time, I am glad to agree with the distinguished ranking member.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that an additional 5 minutes be given to each side.

The PRESIDING OFFICER. Is there objection to adding 5 minutes to each side?

Mr. SPECTER. Mr. President, if they need more time, I am glad to agree with the distinguished ranking member.

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

Mr. LEAHY. Mr. President, I yield 4 minutes to the distinguished Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the Senator from Vermont, not only for yielding time but for his tremendous leadership on this issue. I am deeply grateful for it.

Mr. SPECTER. Let me echo what Senator Kennedy said.

This morning we saw an astounding story in the New York Times. Since 2002, the Government has been reportedly tapping the international phone and e-mail conversations of hundreds, even thousands of people inside the United States without wiretap orders. If you want to talk about abuses, I can’t imagine a more shocking example of an abuse of power, to eavesdrop on American citizens without first getting a court order based on some evidence that they are possibly criminals, terrorists, or spies. It is truly astonishing to read that this administration would go this far beyond the bounds of the statutes and the Constitution. We, as an institution, have a duty and the obligation to get to the bottom of this.

I hope this morning’s revelation drives home to everyone in this body how profoundly the government must be absolutely vigilant in its oversight of Government power. I don’t want to hear again from the Attorney General or anyone on this floor that this Government has shown it can be trusted to control the motivation to abuse. We give it with restraint and care. This shocking revelation ought to send a chill down the spine of every Senator and every American.

When we look at section 215 of the PATRIOT Act, remember this is the section where Attorney General Ashcroft once said that librarians concerned about the privacy rights of their patrons were “hysterical.” But then the Attorney General conceded at his nomination hearing in the Senate Judiciary Committee that some changes would be justified. Unfortunately, the administration was not willing to make the real changes to that provision that are necessary to protect the rights and freedoms of innocent Americans.

The provisions of the bill related to national security letters are also deficient. There is no requirement that the records sought under that authority, which doesn’t involve a court at all, have some connection to a suspected terrorist or spy. The judicial review that the conference report allows after the fact of the national security letter itself and the mandatory gag order is a mirage. After what the Times reported this morning, the body should be comfortable with a government having this kind of unreviewable power.

This conference report is inadequate, and it should not be passed. I believe it will not pass.

Let me talk, finally, to what happens if the cloture motion fails. Do those who oppose the conference report want the PATRIOT Act to expire? Of course not. It is false that the legislation that we do and it is shameful to threaten that that is what will happen if the Senate does not approve this conference report. The only way the PATRIOT Act will expire at the end of this year is if the proponents of the conference report in this body or the other body block alternative reauthorization bills that can easily pass with widespread bipartisan support. Now is not the time for brinkmanship with threats. Now is the time to do the right thing for American people and for the constitutional rights and freedoms that make our country great.

I am very proud to be a part of a bipartisan coalition working together to strengthen protections for civil liberties in the PATRIOT Act. The demonstration of bipartisanship on this floor over the last few days has been simply remarkable. We have stayed together ever since our bill, the SAFE Act, was first introduced. We knew that a time would come when we would have to take a stand. Now we have. We are united today, as we were then.

This is not a partisan issue. This is an American issue. This is a constitutional issue. We can come together to make sure that the Government needs to fight terrorism and protect the rights and freedoms of innocent citizens, and we can do this before the end of this year. But first we must keep this inadequate conference report from becoming law by voting no on cloture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I yield up to 3 minutes to the distinguished Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 3 minutes.

Mr. SALAZAR. Mr. President, once again I thank the distinguished Senator from Vermont and the distinguished Senator from Pennsylvania for their leadership on this effort. I wish to take this opportunity to once again express my serious concerns about the PATRIOT Act conference report that is currently before the Senate.

As I stated yesterday, as a former attorney general, I am very familiar with the secrets of the more than 800,000 men and women working in law enforcement throughout our country, including those engaged in the fight against terrorism. For that reason, I support extending all the expiring powers of the USA PATRIOT Act.

I firmly believe we can extend those powers while at the same time providing sufficient checks on those powers to protect America’s fundamental civil liberties. That is what the bipartisan SAFE Act did. That is what the bipartisan, unanimously supported Senate bill did. That is what this conference report could have done if it simply addressed the modest concerns my colleagues and I laid out in our letter to conferees with respect to section 215, national security letters, and ‘sneak-and-peek’ searches.

Unfortunately, these concerns were not addressed in the conference report, and I am left with no choice but to
work with my colleagues, both Demo-
crats and Republicans, to defeat the bill before us.

This morning, the Washington Post and New York Times reported that President Bush signed an Executive order authorizing the National Security Agency to conduct surveillance of communications between citizens without a warrant. These reports suggest that the phone calls and e-mails of hundreds, perhaps even thou-
sands, of Americans have been mon-
tored over the past 3 years without the approval of the courts. I listened to the ap-
proval of the secret FISA court. These allega-
tions, if true, are deeply trou-
bling. If we needed a wake-up call about the need for adequate civil lib-
erties protections to be written into our laws, this is the wake-up call.

The bill before us does not contain the needed protections. We still have the time to get it right. Several of my colleagues and I have introduced legis-
lation to extend the current PATRIOT Act for 6 months so we can get back to the table and make the necessary and vital improvements that will protect our rights under our Constitution.

I urge my colleagues to vote against invoking cloture and in favor of giving Congress the time it needs to preserve the basic rights and freedoms of all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Sen-
ator from Pennsylvania.

Mr. SPECTER. Mr. President, permit me to interject very briefly just to cor-
rect some of the misstatements which have been made that crop up again and again. This bill is not understood. This bill is not understood by Senators who are making representations on the floor which are not correct. I don’t sug-
gest they are doing it deliberately, but they don’t know the bill.

The argument has been made that the recipient of a national security let-
ter has to tell the FBI the identity of his lawyer. That is simply not true.

The conference report reads: In no circumstance shall a person be re-
quired to inform the Director of the FBI or such designee that the person intends to con-
sult an attorney to obtain legal advice or legal assistance.

The representation is made here again and again and again that in section 215, there does not have to be a connection to a terrorism investigation or some-
one specifically of being a terrorist. The conference report does add a provi-
sion to the three criteria for foreign power, but the court has to make a determina-
tion on a factual showing that there is a terrorism investigation that does in-
volve foreigners and that records are sought from another person, albeit not identified with one of the three crit-
ria, in order to carry on the inves-
tigation.

Again and again, the essence of the protection of civil rights traditionally has been the purpose and a pres-
tial magistrate between the policeman and the citizen, and that protection is given under section 215.

The argument has been made repeatedly that under the national security letter, there is no review. That is sim-
ply not the case. The recipient goes to a lawyer who can challenge the na-
tional security letter in court and have it quashed, eliminated, dispensed with, or, frankly, declared unreasonable.

If you get to the national security issue, then it is different with respect to a bad-faith showing. There is judi-
cial review beforehand on the very broad term of being unreasonable, and while that is in law, it is in auto accident cases and antitrust cases every time you turn around. The rea-
sonable standard is traditional under our law.

I yield to the Senator from Arizona, who has requested 2 minutes, and he can take whatever time he chooses.

The PRESIDING OFFICER. The Sen-
ator from Arizona is recognized.

Mr. KYL. Mr. President, I com-
mlement the Senator from Pennsyl-
vania on a job exceedingly well done in trying to find a way that we can reau-
thorize the PATRIOT Act, with very emotional feelings on all sides of the issue and working through very dif-
cult compromises, especially after the conference in which it would appear to me—and I think even our colleagues who oppose the bill would agree—the end result is probably about 80 percent Senate product and about 20 percent House.

This is a defining moment. There are no more compromises to be made, no more extensions of time. The bill is what it is now, and it is very unfair and unrealistic to expect that either the House of Representatives would con-
cede to the Senate position 100 percent or that the President would do so after what he has now said. As a result, we are going to have an opportunity to vote yes or no.

One of my colleagues said this is not a partisan issue. If 90-plus percent of the Democrats vote against cloture and 90-plus percent of the Republicans vote for cloture, it is hard to argue that is not partisan. It is true that this should not be a partisan issue, but having worked through it to the extent we have, and having had the very strong support in the House of Representa-
tives with over I think it was 44 Demo-
crats and Republicans, to defeat the bill because they want to see law enforce-

Mr. President, I urge my colleagues to think very carefully about what they are about to do. If they vote against cloture, they are voting to allow the PATRIOT Act to expire. We will not have that tool available for law enforcement and intelligence agen-
cies to protect us from terrorists. Is that what you want? I daresay the American people will hold us account-
able if anything happens and we are not able to reauthorize the PATRIOT Act.

The PRESIDING OFFICER. The Sen-
ator from Pennsylvania.

Mr. SPECTER. Mr. President, before the Senator from Arizona sits down, I wish to ask him a question to further elaborate upon a point he has made.

The President has said that he is not going to sign an extension of 3 months or, by implication, any extension of time. So if the conference report is not adopted so the President can sign it, there will be no PATRIOT Act in effect after December 31.

The Senator from Arizona has talked about the wall.

The Senator was on the Intelligence Committee the day he came to the Sen-
ate. He was elected in 1994. I chaired the Intelligence Committee of the 104th Congress. He has been on it. He has been on Judiciary. He has been a leader on this measure. As the Senator said, he had trouble signing the con-
ference report. I can only say you have to have a heart. I thank him for signing the conference report. Without his signature, we could not have filed it.
Mr. KYL. Mr. President, I thank the chairman for his remarks. We know of two attacks on 9/11. One attack is that we prosecuted with the PATRIOT Act. Had the PATRIOT Act been in effect prior to 9/11, it is possible that not all of or even parts of 9/11 would have happened.

There are two specific stories. One related to Zacarias Moussaoui, the other related to two fellows by the name of Hamzi and al Mihdhar. These were the fellows who used library computers to verify their airline reservations on 9/11. We knew that they were connected with the al-Qaida. The other agency knew that they had tried to come into the United States and decided that maybe we should try to find them. We had to have some street smarts to try to find them. And had we been able to be on their tail at this time and find out that they were verifying airline reservations on September 11, knowing that they were connected to al-Qaida and were up to no good, history might well be different than it is today.

How on Earth we could allow the corrections in the law that we put in place as a result of our investigation to lapse is beyond me. The terrorists have not stopped their efforts to attack us, and largely we have been free from attack because of things such as the PATRIOT Act.

So the chairman is exactly right. We corrections that were brought to our attention that prevented us from doing what needed to be done before September 11. That is what this PATRIOT Act conference report is all about. The act needs to be reauthorized. Our people need that tool to protect us. Why would we allow it to lapse, especially on a partisan basis? We need to think very carefully about what we are about to do. I hope for the sake of the American people and our security that the Senate will act responsibly and ensure that the PATRIOT Act will continue to protect us and not allow it to lapse.

Mr. SPECTER. Mr. President, I ask unanimous consent that the mandatorily querorum under rule XXII be waived.

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

The Senator from Vermont.

Mr. LEAHY. Mr. President, as I said earlier, I do not question the patriotism or the intent to stop terrorists of either those who vote for or those who vote against cloture. I hope others would not. If we wanted to make this a partisan thing, we could have brought out the fact that even under the laws that existed before 9/11, it was this administration’s Department of Justice that ignored clear warnings and evidence that they had, which the 9/11 Commission and others have pointed out, that we rejected the terrorist attacks. That could have been done with or without the PATRIOT Act.

All of us rallied behind the administration, though the attack occurred and the attack occurred even though this administration’s Department of Justice had information which might have stopped the attack.

I yield 3 minutes to the distinguished Senator from New York, Mr. SCHUMER.

Mr. SCHUMER. Mr. President, first I want to thank both my colleagues from Pennsylvania and from Vermont for their fine efforts on this legislation. I went to bed last night unsure of how to vote on this legislation. I want to give a lot of credit to my colleagues from Pennsylvania. This is a significant improvement over the House bill and comes a lot closer to the Senate bill than many are giving it credit.

On the other hand, even before last night, I had real doubts that we did not have enough assurances of direct means of distributing aid which definitely hurts my State of New York. But as I said, I went to bed undecided.

Today’s revelation that the Government listened in on thousands of phone conversations without getting a warrant is shocking and has greatly influenced my vote. If this Government will discard a law that has worked well for over 30 years, without a whiff of discussion or notice, then for sure we better be certain that we have safeguards on that Government. The balance between security and liberty is a delicate one, and there is great room for disagreement as to where that ought to come down.

I do not question the motives of anybody. I tend to be fairly hawkish on these types of things, as my colleagues know. But there is one thing for sure:

the President will not extend the PATRIOT Act. It would be a dereliction of his duty as Commander in Chief and chief law enforcement officer of this land.

Let us not invoke the threat that the President will not extend the PATRIOT Act. That is not true. Even if the relevant change made by the PATRIOT Act there would be no legal barrier to information-sharing, and no wall would go back up, because FISA as it existed pre-PATRIOT Act contained no such barrier. So ruled the FISA court of review in November 2002 at the request of the government. It held that the change we made in the PATRIOT Act to take down the wall was not necessary, that FISA never required a wall, and that the Department of Justice unnecessarily imposed bureaucratic constraints on sharing information. So let us not delude ourselves into thinking that somehow the wall goes back up if PATRIOT Act expires. It does not. It was not legally required in the first place.

How much time do I have remaining?

Mr. LEAHY. I yield it to the distinguished Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Vermont for yielding
the time and for his leadership on this issue. I voted for the PATRIOT Act. It was a bit of a leap of faith because I was not sure. I did not know if we were giving the Government more authority and more power than it needed to keep America safe, but I felt, as most Americans do, that in light of September 11, we had to do more to make America safer.

The Senator from Vermont, along with the Senator from Utah, came together on the basis and produced a PATRIOT Act to give the Government more tools to fight terrorism. In their wisdom, they understood that perhaps we had moved too far and too fast, and they said at the end of 4 years we would revisit this law and make sure that we had not given up more personal freedom in America than we had to be safe, and that is why we are here today.

In the meantime, I joined with a bipartisan coalition in the Senate to keep our political spectrum in the Senate. I joined with my friend, Larry Craig of Idaho, Senator John Sununu, Senator Lisa Murkowski, Senator Russ Feingold, and Senator Ken Salazar in a bipartisan coalition. I had been working to reform the PATRIOT Act for over two years. We studied the PATRIOT Act very carefully and came to the conclusion that certain provisions did not contain adequate safeguards to protect the rights and liberties of Americans. That is why we introduced the SAFE Act.

It was our efforts together in the Senate Judiciary Committee and the good leadership of the Senator from Pennsylvania as its chairman that resulted in a bill that came out of that committee unanimously. It was a bipartisan bill that came to the floor to reauthorize the PATRIOT Act and passed on the floor by a voice vote. It was not perfect, but it was a consensus, it was a bipartisan compromise bill. Then, sadly, it went into a conference committee where the most important safeguards were removed, which brings us to this moment in time.

Let me salute the Senator from Pennsylvania. He has argued this issue on its substance. He has not argued it politically. But he has said during the course of this debate that there have been no verified abuses of the PATRIOT Act. I would say to my friend from Pennsylvania, it is not the burden of the American people to prove that their rights have been violated. That’s not how the American legal system works. We should build in checks and balances to ensure that abuses do not take place in the first instance.

Moreover, it is difficult to find verified abuses of the PATRIOT Act when so many provisions are cloaked in secrecy. In most cases, people will never learn that their medical, tax, or gun records have been seized. An individual who receives a Section 215 order or a National Security Letter is bound by a gag order so he cannot speak out, even if he believes his rights have been violated.

Now today’s headlines suggest this administration went beyond the pale in authorizing hundreds and perhaps thousands of warrantless wiretaps on Americans in the United States. This raise the fundamental legal requirement that the government must obtain a warrant from a court in order to eavesdrop on Americans in the United States.

If these stories are true, it makes the PATRIOT Act reforms we have suggested even more urgent, and additional reforms may be necessary. But it is certainly premature to approve this flawed conference report before we learn more about these allegations.

The obvious question is this: Whether or not we pass the PATRIOT Act, will the administration argue they have the authority to go forward, anyway? What we need to do is to defeat closure, pass a 3-month extension of this PATRIOT Act, and move on to make changes to the law that are needed to protect our freedom while giving law enforcement the authority they need to fight terrorism. We can be both safe and free in America.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Pennsylvania has 47 seconds.

Mr. SPECTER. I shall use it. Another correction. The Senator from Illinois incorrectly says I have argued that there have been no abuses of the PATRIOT Act. I have never made that representation. I don’t think you are entitled to credit for not being abusive. That is to be expected. If you have not been abusive, don’t look for credit. That is what you ought to be: not abusive. I have not made that argument.

My arguments have been limited squarely to the threat of terrorism, and the balance of civil liberties on an itemized approach, one by one by one, that this is a balanced bill.

How much time do I have?

The PRESIDING OFFICER. The Senator has 5 seconds remaining.

Mr. SPECTER. I yield the remainder of my time.

The PRESIDING OFFICER. All time has been yielded under the previous order.

Mr. FRIST. Mr. President, on leader time?

The PRESIDING OFFICER. The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FRIST. Mr. President, the PATRIOT Act expires on December 31, but the terrorist threat does not. We have a clear choice before us today: Do we advance against terrorism to make America safer or do we retreat to the days before 9/11, when terrorists slipped through the cracks. Advance or retreat? It is as simple as that.

Some Members of Congress have called for a retreat—and defeat strategy in Iraq. I argue that H.R. 3199, the PATRIOT Act amounts to retreat and defeat here at home, against terrorism. To those who still harbor concerns with this bill, I have a simple reply: We have more to fear from terrorists than this PATRIOT Act compromise.

The compromise includes more civil liberty safeguards than in current law, as the Administration and Congress have agreed in advance.

It is time to come together to advance, not retreat, from terrorist threats. I urge my colleagues to vote yes, to advance against terrorism, to make America safer, and to safeguard our civil liberties.

The PRESIDENT. Mr. President, the PRESIDENT. The time of the Senator has expired.

The Senator from Utah has 47 seconds.

Mr. BURRESS. Mr. President, the PATRIOT Act amounts to retreat and defeat strategy in Iraq, and that is the wrong strategy here at home. A vote against the PATRIOT Act amounts to retreat and defeat here at home, against terrorism.

To those who still harbor concerns with this bill, I have a simple reply: We have more to fear from terrorists than this PATRIOT Act compromise.

The compromise includes more civil liberty safeguards than in current law. As the administration and Congress have agreed in advance.

It is time to come together to advance, not retreat, from terrorist threats. I urge my colleagues to vote yes, to advance against terrorism, to make America safer, and to safeguard our civil liberties.
The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. FRIST. Mr. President, I now enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion to reconsider is entered.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I discussed this with the distinguished majority leader. I will make this unanimous-consent request.

UNANIMOUS-CONSENT REQUEST—S. 2082

Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2082, the 3-month extension of the PATRIOT Act, that the Senate proceed to its immediate consideration, the bill be read a third time and passed, and the motion to reconsider be laid on the table. And I do that because that would keep the PATRIOT Act in existence after December 31.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, as I stated earlier this morning and yesterday, I oppose a short-term extension of the PATRIOT Act. The House opposes such an extension. The President will not sign such an extension. Why? Because extending the PATRIOT Act for a short period of time simply does not do enough. The same people who criticized the lack of civil liberties safeguards in current law are arguing for an extension. That does not make sense.

This compromise we have discussed over the last several days does address more civil liberty safeguards than current law, more congressional oversight, more judicial review. Thus, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. LEAHY. Mr. President, we are at an interesting point. We have seen an enormous amount of work done by the distinguished junior Senator from Pennsylvania, who has worked in good faith with members on both sides of the aisle; and, I might say, it has been done with a great deal of work by myself, but also it has been done with a great deal of work by those who both supported cloture and opposed cloture.

Now, one thing that should unite all of us is our opposition to terrorism. We would not be in this building that faced a possible devastating terrorist attack, if we did not care both for our country and for the Senate and for the Capitol.

But there are ways of securing our liberties and ways in which it can appear we are but, instead, we are taking them away. We saw this amazing step in today’s news, where Americans are being spied on, not through any court order, not through any act of Congress, not with any oversight, not with any check and balance, but simply by a stroke of the pen of the President, following the advice of the same people in the Department of Justice who advised him that torture was legal.

We have rejected the concept that torture is legal; we should reject the concept that we can have Americans spy on Americans with no checks and balances in a free and democratic Nation such as ours. What we want—and I have written many parts of the PATRIOT Act—will we have a bill that is checks and balances. A democratic nation does not exist without them.

I would hope Republicans and Democrats would come together, and the administration, and find a way to go forward in a way that will protect America. But ultimately, America is most protected when we have the checks and balances that protect our liberties, the liberties we fought a Revolution to gain, and fought a Civil War and two World Wars to preserve. We can do that. There are cooler heads here. There are distinguished Senators from both parties who can bring this about.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, the PATRIOT Act remains on the floor. I switched my vote in order to recommit. So in essence, it is 53 to 47. I simply ask that debate continue. Let everybody look at what is in the bill. We have had excellent debate the last couple of days. What this vote has basically said is that we don’t stop debating it. I encourage people, especially those on the other side, to take advantage of this opportunity to discuss and debate and come forward. We remain on the PATRIOT Act, and the vote right now speaks for itself. We accept that. But the debate will continue on this very important bill. Again, we will not see a short-term extension.

I yield the floor.

Mr. KERRY. Mr. President, today I voted against cloture on the PATRIOT Act reauthorization conference report. I want to make clear that this vote was not about whether I support reauthorizing the PATRIOT Act—I do. This vote was about whether I thought that the significant and unnecessary invasions into the privacy rights of all Americans were necessary to protect our national security—I do not.

Last July, the Senate passed by unanimous consent a PATRIOT Act reauthorization bill that bi-partisan, compromise bill. Even though it did not contain all the privacy protections I would have liked, it took a lot of steps towards improving the problems in that bill that have become evidence since its passage. If that bill was on the floor today, I would support it.

But it is not. What we do have on the floor is a conference report that fails to address some of the most serious problems with the PATRIOT Act. For example, its version of Section 215 allows the Government to obtain library, medical, gun records, and other sensitive personal information on a mere application that the underlying Section 215 order is a three part test to determine whether the targets have information that makes them suspected terrorist or spy. This seemingly small change will help prevent investigations which invade the privacy of American citizens that may have no connection to any suspected terrorist or spy. This is an important restriction.

In addition, unlike the Senate bill the conference report provides no mechanism for the recipient of a Section 215 order to challenge the accompanying automatic, permanent gag order. The FISA, Foreign Intelligence Surveillance Act, court reviews are simply not sufficient. They have the power only to review the Government application for the Section 215 order. They do not have the power to make an individualized determination about whether a gag order should accompany it. So the recipient of a Section 215 order is automatically silenced forever. How is that fair? How is that consistent with our democratic principles?

The conference report doesn’t provide judicial review of National Security Letters either. The Senate bill did. Judicial review is one of our best checks on unnecessary Government intrusion into individual privacy. Why deny it to our citizens?

Lastly, I would like to mention the problem with the conference report provisions on the so-called sneak-and-peek search warrants. Unlike the Senate bill, the conference report does not include any protections against these warrants. Rather than requiring that the Government’s search warrant be directed to the recipient of these warrants within 7 days, as the Senate bill did, the conference report requires notification within 30 days of the search. Thirty days. That is an awfully long time to go before learning that you have been the subject of a Government search.

These are just a few of the problems with the conference report. They are
the most significant problems. Those in support know that it is flawed, but they are creating artificial time pressure to force us to approve the bill, flawed as it may be.

I realize that 16 provisions of the PATRIOT Act are set to expire. I certainly do not want that to happen. But passing this conference report is not the only way to prevent their expiration. That is why I have cosponsored legislation to extend those provisions by three months to allow us time to fix the problems with the conference report. If that effort fails and the PATRIOT Act expires, the blame rests only with the White House and leadership that controls the House and the Senate. There was and remains a simple, unified way to get this done, and they rejected it.

There is no reason why we cannot be safe and free. The Senate bill accomplished this. And, I will keep working with my colleagues in the Senate to ensure that our legislation ultimately pass to reauthorize the PATRIOT Act also accomplishes this.

Mr. REED. Mr. President, today the Senate was presented with a false choice on the conference report to H.R. 3199, the PATRIOT Act. It was a clear way why I voted against the motion to invoke cloture. There is a better way that gives us the time we need to thoughtfully debate some very worthy constitutional and civil liberty issues. With the PATRIOT Act already permanently authorized, we can and should extend the provisions expiring on December 31, 2005, for 3 months.

Let me be clear, those of us advocating for a 3-month extension support reauthorizing the PATRIOT Act. What we want to do is keep the law intact, exactly as it is right now, so that we can more carefully debate these important matters without feeling rushed by the looming cloud of tomorrow's session of Congress.

Like almost everyone in this Chamber, I voted for the PATRIOT Act shortly after the September 11 terrorist attacks. I believed the PATRIOT Act would bolster the ability of Federal authorities to conduct criminal and intelligence investigations, to bar and expel foreign terrorists from the United States, to separate terrorists from their sources of financial support, to punish terrorism, and to assist victims of the events of September 11. While I had reservations about some parts of this legislation, the need to address the obvious threat, combined with the fact that many of the more tested provisions in the act were set to expire on December 31, 2005, prompted me to vote for the bill.

The provision of greater investigative authority to our Nation’s law enforcement officials is a matter that raises many issues, most particularly, the need to balance Government power and civil liberties. Certainly, there is a great onus upon the Department of Justice, DOJ, to utilize the awesome authority of the PATRIOT Act in a circumspect and cautious manner. At the same time, Congress has a responsibility to conduct vigorous oversight on the use of the PATRIOT Act’s powers and to carefully debate any changes to these provisions.

In the spring, in anticipation of the impending need to reauthorize the sunsetting provisions of the PATRIOT Act, I cosponsored S. 737, the Security and Freedom Enhancement, SAFE, Act of 2005. This thoughtful, bipartisan legislation was introduced by Senator CRAIG on April 6, 2005, and seeks to revise and improve—not eliminate—several of the more controversial provisions of the PATRIOT Act, including roving wiretaps, sneak-and-peek roving wiretaps, and FISA orders for library and other personal records.

Many of the proposed revisions to the PATRIOT Act in S.737 were ultimately incorporated in some form into S. 1389, the Senate version of the PATRIOT Act reauthorization bill. The USA- PATRIOT Act Terrorism Prevention Reauthorization Act, passed by unanimous consent in July and the Senate immediately appointed conferees so that the House and the Senate could negotiate and work together for a month vi-
sions of the reauthorization. Unfortu-
nately, the House waited until November to appoint its conferees, which in large part is why we are now in the position of having very little time to de-
ses the differences between the two bills.

The Senate’s version of the PATRIOT Act attempted to deal with many of the civil liberties issues that have come to the fore since the passage of the PATRIOT Act. In particular, S. 1389 would require that the Department of Justice convince a judge that a per-
person is connected to terrorism or espionage before obtaining their library records, medical records, or other sensitive information. It would require that targets of sneak-and-peek searches are notified within 7 days, in stead of the undefined delay that is currently permitted under the PA-
TRIOT Act. The Senate bill also would prohibit the issuance of “John Doe” roving wiretaps, which identify neither the person nor the place to be put under surveillance.

Additionally, S. 1389 would give the recipient of an order for sensitive per-
spective search warrant-like orders a chance to challenge the order in court on the same grounds they could challenge a grand jury subpoena, as well as provide a right to challenge the gag order that currently prevents people who receive a request for records from speaking out even if they feel the Government is vi-
lating their rights. The legislation also requires increased reporting by the DOJ on its use of PATRIOT Act powers and sets a 4-year sunset on three provisions regarding roving wiretaps, busi-
ness records orders, and “lone wolf” sur-
veilance.

Unlike the Senate bill, the House version proposed to permanently reau-
thorize all but two of the expiring pro-
ings—instead it sunsets FISA orders for library and other personal records and the roving wiretap provision after 10 years—and placed few, if any, limits on many of the expanded law enforce-
ment powers in the PATRIOT Act.

Unfortunately, the conference report has removed or weakened some of the most important limits on enhanced in-
vestigative powers in the Senate bill, particularly those relating to FISA or-
ders for library, medical, and other types of business records about people, National Security Letters, and notifi-
cation of sneak-and-peek searches. We need to reauthorize the expiring provi-
sions of the PATRIOT Act, but we need to do so with procedural safeguards like those in the Senate bill.

The Senate is known as the more contemplative body in Congress for a reason, and I think we should take the time we need to truly debate and discu-
some important civil liberties issues that contemplated legislation complicates. For this reason, I have cospon-
sored Senator SUNUNU’s bill, S. 2082, which would extend the expiring provi-
sions of the PATRIOT Act until March 31, 2006. I believe that 3 months is necessary to allow us time after the holidays and work out the differences between the House and Senate versions of the PATRIOT Act reauthor-
ization. I would encourage all of my colleagues to do the same.

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

The PRESIDENT pro-ceeded to call the roll.

The assistant legislative clerk pro-
ceded to call the roll.

Mr. SESSIONS. Mr. President, I rise to express my disappointment with your vote. This is a very important piece of legislation. It is important for our country. I wish to say how hard we worked to achieve bipartisan support. This bill came up in the Senate for re-
authorization after 4 years and vir-
tually no serious criticism of the work-
ings of any of the provisions in it. There was a generalized view that we should, in fact, extend it.

We discussed it in the Judiciary Com-
mitttee. It is a business of us. I would like to strengthen a few provisions to protect this country from terrorists did not make much headway there, but we did achieve one thing: we achieved a unani-
mous vote in the Judiciary Com-
mittee—18 to nothing—to report this PATRIOT Act to the floor of the Sen-
ate. When it came to the floor of the Senate, we discussed it, and it was cleared by this Senate unanimously.

It went to conference. The House had a bill. We discussed it in conference. Senator Specter led the conference. For those who wanted the Senate bill to win in toto, they were not perfectly happy. But as Senator SPECTER has...
Mr. CORZINE. Mr. President, I would like to give what I think will more than you have to give on this great floor, this historic floor, in front of this deliberative body. I am grateful for your courtly courtesy. It is with bittersweet feeling that I make these remarks.

I have been honored beyond words to be a United States Senator. I think all of us know that feeling in our hearts and souls. I will be forever grateful to the 9 million New Yorkers who put their trust in me and asked Senator Robert Menendez, who will be sworn in to represent their hopes and dreams at this time and in this place.

In the 229 years of our Republic, fewer than 2,000 men and women have come to this floor and represented the voices of the people who elected them or selected them in previous times. And like each of my predecessors and those to follow, including Congressman Robert Menendez, who will be sworn in to fill out my term, we have all been sworn to uphold and protect the Constitution.

I now look at the great Senator, Robert Byrd, who has so eloquently and so frequently represented the challenge that all of us take on as we are sworn in to be Senators to represent and carry forward those traditions of our Constitution and to serve the interests of the American people. So there are really two purposes. I can only hope that the people of New Jersey will believe that has been my sole purpose here on this floor.

Now as I take my leave, I guess there will be some folks who will say some nice things about me, and they have. That is a little bit different than in the last days of the campaign. It reminds me of a Jack Benny story. He was giving a presentation and listening to the presenter praise him at length. He said, “I don’t deserve this award, but I don’t deserve diabetes either.” I will take the compliments and the kind remarks. I very much appreciate it.

I want you to know that I cherish the friendships I have established with the men and women here. I admire the debates—I don’t always agree with all of my colleagues—but I always respect and admire the commitments of the men and women who sit on this floor.

And I add that it is on both sides of the aisle, not just my friends in the Democratic Party. Believe me, some of the remarks I have heard in the last few days are a little different than they were 6 years ago when I ran for my good friend Senator Lautenberg’s open seat at that time. Ross Baker is a commentator on the national political scene, and he teaches at Rutgers. He told one reporter that the people in New Jersey don’t know Jon Corzine from a cord of wood. Hopefully, we have gotten a little farther down the population baseline.

This has been one of the most remarkable experiences anyone could ever dream of having. I came here for a clear purpose, I believe in American citizenship and the rights we have. We should have incentives in this Nation—I have experienced many of them—but it comes with responsibilities. To those of us whom much is given, much is required. I know that I had no chance to succeed in life without the support I have had from my community, my Nation, and my friends. That is why one comes here—to give back, to fight for fairness and the opportunity for all.

Senator Durbin knows of the little town in which I grew up. Like so many of you, I have lived the American promise. It is a little town in central Illinois called Willy Station, with a population of less than 50. In fact, there are more cows than people there.

My father was a corn and soybean farmer. He sold insurance. My mom still believes I don’t deserve this award, but I don’t deserve this either. Civil Rights Act of 1964.

I have been honored beyond words to be a United States Senator. I think all of us know that feeling in our hearts and souls. I will be forever grateful to the 9 million New Yorkers who put their trust in me and asked Senator Robert Menendez, who will be sworn in to represent their hopes and dreams at this time and in this place.

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I want you to know that I cherish the friendships I have established with the men and women here. I admire the
to the Senator from New Jersey, he has done his duty. He is a good Senator. We will miss you. I will. Thank you for standing up for what you believe. Thank you very much. Bless your heart.

Mr. CORZINE. Mr. President, there is not much that means more than that coming from a great Senator who has served this Nation so much. Thank you.

I was talking about Senator Dinken. He actually sat at this desk and worked at this desk. So did George Mitchell and a whole host of great Americans. It is remarkable what the history of this institution presents and the opportunities it affords. It has been a remarkable time. I think all of you know that.

In the last 5 years, it seems as if we have jammed more historic moments in than you could ever imagine, with an unprecedented Presidential election in 2000, where we all sat in this Chamber and confirmed the results of that election. We had a 50/50 Senate, and everybody was trying to figure out how it worked. And then, with a shift of one vote in the caucus, that changed the control of the Senate.

That dark day on September 11 changed the lives of Americans forever. I live in Hoboken, NJ. It looks out almost directly across the river where the Twin Towers once stood. New Jersey’s heart has never fully healed from those losses. It never will. We lost 700 of our citizens. We have much to do, and it has stimulated even the debate we have this floor today. There were kids who lost their lives on that day whom I coached in soccer when they were growing up in my previous hometown of Summit. We still have a lot to do.

Today, we are challenged with the war against terrorism and debate about our constitutional freedoms, which we are talking about today—the challenge of tradesoffs in security and freedom, and protecting what it is that the American Revolution stands for. This is a great institution for making sure the rights of our people are represented.

I came to the Senate to try to use my knowledge and experience to help work on some of those problems that are most important to our Nation—health care, economic and racial justice, education—there is a whole series of those things. I am proud of that progressive agenda I see so many peers and colleagues who fight so hard on those every day.

Mr. President, 9/11 brought us together regardless of our political backgrounds in ways we could never have been grateful to all of my colleagues for that leadership.

We also have great people in New Jersey. The Jersey girls, as a lot of my colleagues know, have been fighters for making sure we had the 9/11 Commission, the compensation fund, responses to human needs, as well as the strategic intelligence and homeland security needs that the American people deserve. I am proud of them. I am proud of those who have done all because it encourages us.

We provided over $350 million to address New Jersey’s unique security needs after the September 11th terrorist attacks.

There was the element of unity that I hope we can restore that was born in those moments because the challenges are just as great. The immediacy is a little different, but there is no reason we can’t stand together.

I am proud of the opportunity to be a partner with my chairman, Senator SARBANES, CHRIS DODD, and others with regard to helping restore investor confidence that was also broken around that time where people lost their life savings when the world had come from having taken advantage of other human beings’ savings, retirement securities, and their jobs. It is not a proud moment for those of us who believe in the capitalist system.

With the help that came through the Sarbanes-Oxley bill, I think we have actually made a major contribution to making sure that balance sheets and income statements are what they are, that people can have more confidence in our fundamental system. I was honored to be a part of the detail and the work that brought that back. We should protect it as we go forward.

There is more to do with our pension system. There are many things that are part of our financial structure which is such a fundamental defining element of what America is about. We need to make sure they have the integrity that was built into the theme of the Sarbanes-Oxley system. I am proud to have represented the Democratic caucus for 2 years in the push back against the privatization of Social Security. We had a debate on the floor where Senator SANTORUM, Senator SUNUNU, Senator DURBIN, and myself, for a remarkable hour and a half, had dialog among Senators. All of those elements of debate are still in play. We need to make sure we protect the security of our seniors. I know folks on this side of the aisle feel so strongly about this, and we should continue.

There are many others issues: affordable drug benefits, college tuition. Senator KENNEDY and others have fought so hard to make sure everybody has access to the American promise. I am proud that I had a role—an amendment role, a voting role, a sponsorship role—to be a part of those agendas. We can do, and have done, a lot to protect our environment to make quality of life better.

Together with my colleagues from New Jersey, we protected people in our state from federal changes that would have weakened New Jersey’s model prescription drug program for seniors and people with disabilities.

We lifted federal home loans mortgage limits to help more New Jersey veterans buy their own homes.

We fought the administration’s effort to reduce the availability of student loans. We held them off for a year—long enough to enable many students to stay in school instead of having to drop out.

We preserved the unspoiled beauty and critical water supply in the New Jersey Highlands.

And we stopped a plan by the administration that would have paved the way for oil and gas drilling off the New Jersey shore. Because America needs a balanced energy plan that invests in conservation and alternative energy sources—not oil derricks lining our beaches.

In the highway bill that passed this year, we increased New Jersey’s rate of return on the federal highway tax dollar form 90.5 cents to 92 cents. And we paved the way for the New Jersey Trans-Hudson Midtown Corridor.

There is a lot more to do. I have some challenges that I leave for all of my colleagues. Maybe the most important one, and the one I feel most passionately about, is the ongoing challenge to man’s inhumanity to man in Darfur, Sudan. We have lost 300,000 lives, give or take. People don’t really know the degree to which life has been lost. But we need to make sure that we don’t revisit Rwanda and other places where we have dropped our back on the killing of one man and one woman, one at a time.

There is much to do. I am proud of the efforts that Senator BROWNBACK and I have done to make sure this body recognized for the first time that genocide was taking place, that there was much to do, that we had some financing to sponsor the African Union to do that which would bring an end to the rape and killing. It is going on. There is much more to do. Please, please, make sure, whether it is in Darfur or other places, that this body speaks out for humanity, something I know all of my colleagues carry in their hearts. It is one of the great hopes and dreams.

I know a number of my colleagues—Senator OBAMA, Senator DURBIN, Congressman PAYNE on the other side of this great Capitol, communities of faith so concerned citizens are really committed to these issues, particularly as it relates to Darfur. But we should stand up, and we should move forward. I have a big hope that my colleagues will take the opportunity to move on chemical plant security, which is something I have fought against and bored people to death with over the last 4 years. We are so close but yet so far and at such risk. Whether it is rail security,—and all of us are—we subcommittee chairmen—does it really matter that we can get such low marks in how we have addressed our homeland security.
Now I go to be a Governor of a State where the primary day-to-day practice and responsibility is to protect the lives of the people who live in these communities. I hope we will move forward in an expeditious manner to address some of those items that we all know are lacking.

There is a lot of progress to be made in a lot of areas. I could go on. I am proud of the initiative on kids accounts, which I hope a lot of you will get behind and change the financial underpinnings and knowledge of so many folks. I am proud of this idea. I know there are a number of my colleagues who are interested in the idea of giving every child who gets a Social Security number a start in life. It is implemented in Great Britain. We ought to do it here. There is a real hope it can bring about a different opportunity and potential for every person.

And I'm proud of what we've done for financial literacy. It's mind-boggling to me that we live in a capitalist society, yet our schools provide students with few, if any, tools about how to navigate the system. We push our kids out into the world and say 'You're on your own, good luck.' As more financial risk is shifted onto individuals, the consequences of bad financial decisions grow more dire. That's why I pushed to include basic financial literacy in the No Child Left Behind Act to teach young people the basic principles of capitalism and responsible money management.

I will look to this body to come up with answers on health care, Medicare, making sure our children are educated appropriately. The agenda is large. There are great disappointments, by the way. I close with a few of those. It is hard for me to imagine when I came here that we were running a couple hundred billion dollars in surplus, and now we have created debt that is greater in the 5 years than was ever created in the history of the country. I think we are really in danger of going over the precipice on the twin deficits with regard to fiscal management of this country. It seems grossly unfair that we are placing that burden on future generations the way we are.

I can tell my colleagues, as it ripples down to our State levels, they are going to hear a former Senator hooting and hollering pretty high about how we are crowding the financial responsibilities that will be very difficult.

The fact we haven't raised the minimum wage in the years I have been in the Senate is hard to imagine. There is a study out this week that if you earn the minimum wage, there is not a county in this country where someone can afford a one-bedroom apartment. It is time to move on some of these issues.

I know I am preaching to the choir, but it is time to move. We ought to ban racial profiling. There are a whole host of issues.

Since I came to the Senate in 2001, the number of uninsured Americans has swelled to over 45 million people. We have made some important strides in improving access to care for certain populations, but these piecemeal attempts to address our health care crisis have left too many Americans with quality, affordable health care. I would like to see us come together as a nation to guarantee health care to each and every American.

Senator Lautenberg and I would like to see Bruce Springsteen honored, too. We think we ought to step up and acknowledge both the poetry and the majesty of his fights for the working men and women of this world. I wish to thank my colleagues and the people of New Jersey for this great opportunity. I leave the Senate with incredible excitement and optimism about the future. I am looking forward to my new job in a way I cannot even get my mind half the time because it seems so profoundly interesting and applies to the day-to-day lives of folks.

I have no serious regrets. I have sadness about not being able to walk onto this great floor, but I love this place and look forward to coming back and working together on those issues that matter.

I close by especially thanking my colleague, Senator Frank Lautenberg, who has just been a gem to work with, and my colleagues Tom Daschle and Harry Reid, who have been extraordinary.

Mr. President, I say to all of my colleagues, they have been great.

I mentioned Robert Byrd, a giant on this floor.

I cannot help but remember the man maybe I admired the most here, because he had the greatest courage, was a cause he had the greatest faith, was a cause he had the greatest love for. Maybe I admired the most here, be JON came from great success and still helps those people.

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ball and ran with it. Jon introduced a plan to overhaul security at chemical plants, and many people were surprised when he got it unanimously approved in committee. But those who know Jon Corzine weren’t surprised. Even when that plan was delayed by lobbyists, Jon didn’t give up. He has consistently fought to make our chemical plants safer. He has raised awareness of the problem, which I will take up once again, because we are at risk across this Nation from the most horrible devastation to our people and communities.

Jon Corzine carried an agenda here that was so appropriate for New Jersey that he established a place for himself in the history of the State even before he becomes Governor. I wasn’t a Member of the Senate on that fateful day of September 11, 2001, when my State lost almost 700 people. But I knew we would have a strong advocate in Jon Corzine. And we did. Jon listened to the families who had lost loved ones, and he knew they deserved answers. So he fought to establish the 9/11 Commission. I honestly don’t think it ever would have come to pass without his efforts. He has been a great ally when my State lost almost 700 people.

When he came to the Senate in 2001, Jon realized the importance of restoring public trust and confidence. Even though he worked mostly behind the scenes on the Sarbanes-Oxley bill the most far-reaching corporate reform law since the Great Depression he was recognized by the New York Times as the bill’s “primary architect.” Sarbanes-Oxley improved business accountability to the boards, helped restore investor confidence, and protected the savings of millions of Americans. Jon’s name isn’t on that bill, but his influence is.

Jon has been a great teammate for me, working for New Jersey day in and day out. He has also worked with many of you, on both sides of the aisle. I know how hard he has worked with Senator Brownback, for instance, to stop genocide in the Darfur region of the Sudan. As a member of the Foreign Relations Committee, Jon offered the first Senate resolution to classify this horrific situation as “genocide.” The passage of this bipartisan resolution, coupled with other efforts to increase awareness of atrocities in Darfur, prompted then-Secretary of State Colin Powell to declare that genocide was in fact occurring. After traveling to Sudan personally, Senator Corzine championed a bipartisan effort to provide $75 million for African Union peacekeeping troops. He also introduced a bill establishing sanctions against Sudan, which the Senate passed.

Jon served in the Marine Corps Reserves, and he understands the burdens on our men and women in uniform especially the National Guard and Reserves, who have provided so many of the troops in Iraq.

After I served in World War II, I went to college on the G.I. bill. Jon Corzine has worked to update the G.I. bill for the 21st century, to meet rising education costs. He has fought for better health care for veterans and military families of Amnon Stein. If I may, I will take this opportunity to mention a bill that will help 90,000 vets buy their own homes. For these reasons and many more, the Veterans of Foreign Wars gave Jon their Congressional Award in 2004.

Over the past 3 years I have been proud to call Jon Corzine my friend and my colleague. Today, I am equally proud to call him the next Governor of the State even before he becomes Governor. He has been a great ally in my State after the terrorist attacks. He has been a great ally in my State after the terrorist attacks.

Jon is committed to helping others achieve the American Dream. He believes very deeply that through hard work and determination, people can make better lives for themselves and their families. He believes this so deeply, because he has lived it himself.

Growing up on a small farm in Illinois, Jon dedicated himself to his studies and graduated from the University of Illinois. He then joined the Marine Corps Reserve and began his impressive career in business and banking. His talents helped him win in the business world too—from a bond trader at Goldman Sachs to chairman and CEO of the firm.

Once his hard work and talent helped him reach the pinnacle of his profession, Jon decided to give something back by helping all Americans achieve their full potential.

When he came to the Senate in 2001, he made an immediate impact, bringing the same talents and commitment in the business world to his work for New Jersey and the country.

We could all see that Jon was a committed and progressive public servant, motivated by a strong sense what’s right and what’s fair.

Not long after he was elected, the Nation faced a sudden challenge of massive corporate fraud, involving Enron, WorldCom, and others. Families’ pensions were lost. Workers’ savings went up in smoke because of cooked books and insider deals.

The administration dragged its feet, but Jon stood up for those workers and sent a clear message to those executives that if they defraud the American people, they must pay.

Jon’s compassion and invaluable business experience helped persuade Congress to pass the most sweeping corporate reforms since the Great Depression. He brought that same knowledge of the financial markets and securities industry and that same sense of fairness to the battle to protect Social Security. When others tried to frighten the American people into undermining the most important social safety net program the Nation has ever had, Jon stood firm, and the so-called reforms were not passed.

I was especially impressed by the way Senator Corzine rose to the challenge of 9/11 and rallied the people of New Jersey after the terrorist attacks. He was only 9 months into his term, but he stepped up and provided real leadership at a time of enormous crisis and uncertainty.

He did his best to ease the grief of the survivor’s families, and he did everything he could to see that the Federal Government lived up to its responsibility to provide relief to those families.

Month after month, year after year, Jon also insisted that the 9/11 Commission get answers to their tough questions, no matter how entrenched the opposition.

5 years, he has been a driving force to improve homeland security, by making sure that our Nation’s ports receive the resources they need, and by
pressing the administration to protect chemical plants in New Jersey and across the Nation.

We will miss Jon’s leadership and eloquence here in the Senate. The people of New Jersey are fortunate to have him as their senator and I know and I believe he will continue the outstanding leadership we have all come to know and admire. New Jersey is in good hands, and I wish him continuing success in the years ahead.

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

Mr. SARBANES. Thank you, Mr. Chair. Mr. President, in a few weeks our good friend, Jon Corzine, will leave the Senate, where he so effectively represented New Jersey and its people over the past 5 years, to become Governor of his State. I have been privileged to serve with Senator Corzine on the Committee on Banking, Housing, and Urban Affairs, to whose work he has brought an extraordinary combination of principle, vision, intelligence, and solid common sense. I wish to say a few words today about his spectacular and solid common sense. I wish to say a few words today about his spectacular and solid common sense. I wish to say a few words today about his spectacular and solid common sense.

Mr. SARBANES. Thank the Chair. Mr. President, I ask unanimous consent that following my comments, Senator Stabenow be recognized, then Senator Salazar and Senator Reed be recognized. All of us seek to speak about our colleague, Senator Corzine.

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

Mr. SARBANES. I thank the Chair.

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As a member of the committee, Jon Corzine was one of the first members of the Senate to recognize the threat that identity theft poses both to consumers and to the security of the financial system.

He also succeeded in assuring priority treatment in terms of planning, funding, and execution under this new legislation for a new commuter rail tunnel under the Hudson River. This project, the Trans-Hudson Midtown Corridor, has been identified as a crucial investment for the region’s mobility and security. As a result of his efforts, the National Transit Institute, which provides training, education, and clearinghouse services to support public transportation, will be maintained at Rutgers, the State University of New Jersey.

Senator Corzine was a leader in the effort to develop a Federal backstop for terrorism insurance after the attacks of September 11, 2001. Those attacks left such insurance widely unavailable and put businesses and commercial property owners at risk of future losses from terrorism without insurance coverage. He recognized immediately this situation would create a drag on economic activity and again brought his expertise to bear in helping to develop the Federal legislation under which the Federal Government would share the risk of future terrorism losses with the industry.

Senator Corzine was one of the first to recognize the threat that identity theft poses both to consumers and to the security of the financial system. He has been a leader in the fight for safeguards on personal information, on protecting the privacy of our citizens.

Many of these things I have spoken about reflect a common theme, and that is Jon Corzine’s concern for those left out and left behind. It has been a hallmark of his service in the Senate that he has sought to bring into the mainstream of American life those who are often left out of concern for those, in a sense, who have been forgotten, was reflected in his work in the international arena, particularly the emphasis he placed on the situation in Darfur. Again and again, Jon Corzine took the floor of the Senate to bring to our attention the terrible things that were happening there and to push for measures to help alleviate that situation.

Finally, let me say what has distinguished Senator Corzine’s service in the Senate over his many specific accomplishments is the dedication and vision and principles that underlie all his work. Before coming to
the Senate, he spent much of his professional life as an investment banker. But he brought to his responsibilities certain fundamental convictions about the nature of American society, a hopeful and optimistic vision of American life that first took on clear focus when he was growing up in a small farming community in central Illinois. It was there he has said he learned "the meaning of hard work and the opportunities afforded by a strong education system, a place to raise children, and someday to retire with dignity, security, and self-respect."

He has dedicated his efforts to advance programs that can make this vision a reality for all his fellow Americans. When he announced his candidacy for Governor of New Jersey last December, Senator CORZINE pledged he would "fight like crazy to make sure that there is a view that government can be a partner in lifting up the lives of the rest of America." This is surely what he has done in the Senate.

In just 5 short years, notwithstanding his junior status in a body that sets a high premium on seniority—when I first came here I was very critical of the seniority system, but I have come to see the virtues of the system, JON CORZINE has had an impressive record of accomplishment. He has demonstrated the astute and principled leadership in the Senate that will most assuredly make him a distinguished Governor of the State of New Jersey in the service of all its people.

If I may be so bold as to address a word to the people of New Jersey, I simply say they have an extraordinary leader about to take over as Governor of their State. I urge them to give JON CORZINE their backing and support so he can bring his vision to bear in the State of New Jersey.

When Woodrow Wilson became Governor of New Jersey, he introduced a progressive agenda which continues to work hard to ensure that others have the same chance to live it too. JON CORZINE is a shining example of what one can accomplish with hard work and the opportunity to obtain a good education.

Growing up in rural Illinois as the son of a corn and soybean farmer and a public school teacher, JON CORZINE learned early in life the importance of family, responsibility and service to his community. These are the values that led him to serve his country as a member of the U.S. Marine Corps Reserve—and over the years, his strong values have guided his career in both in private industry and public service.

JON CORZINE started his career on the ground floor of American business. And even as he worked hard and achieved extraordinary success, he never lost sight of his values.

When he served as chairman and chief executive officer of Goldman Sachs, he led that company from a private partnership to a public offering. At the same time, expanded the company's philanthropic outreach efforts to better serve people in need.

He continued that important work here in the U.S. Senate, where he used his political clout and personal resources to fight for people without political influence. For the last 5 years, he has been a tireless advocate for veterans, seniors, students, women, children and families in New Jersey and across our Nation.

Senator CORZINE and I were sworn into the Senate on the same day—and I served with him on both the Budget Committee and the Banking, Housing and Urban Affairs Committee. There, we worked together to preserve funding for programs that help our Nation's most vulnerable citizens—programs such as Medicare and Medicaid, veterans health care, and education.

We also worked together to lead the fight to keep the security in Social Security.

His business expertise made him a strong advocate for fiscal responsibility. He fought to get the national debt under control so we could preserve and create opportunities for our Nation's young people—rather than saddle them with the burden of our government's debts.

He has lived the American dream and continues to work hard to ensure that others have the same chance to live it too.

JON CORZINE is a thoughtful, hard-working man who worked with his colleagues from both sides of the political spectrum to do the right thing for the people of New Jersey and this Nation.

I add my comments, along with my friends and colleagues in the Senate, for someone who has become a personal friend, as well as someone I admire greatly and that we are going to greatly miss. New Jersey is very lucky to have Senator CORZINE coming in as Governor of that great State.

Senator CORZINE and I have worked together both on the Committee on the Budget and on the Committee on Banking. I can say it is true what Senator CORZINE has said, that he sat at the end of the table at the Committee on Banking and we were squeezed in with our staff trying to make sure we did not fall off the end of the platform, I always knew when the person at the end was about to speak and ask his questions, there was going to be silence in the room and tremendous respect for what he was going to say and concern about whether they would be able to effectively answer his questions, as the witnesses were answering various questions concerning finances.

To watch Senator CORZINE work has been to watch an example of what we want in public service. To see someone who grew up in a small town—like I did Michigan—grow up in a small town, serve his country in the Marines, as so many of my colleagues have. I am particularly proud of the people on the Democrat side of the aisle who have served in public service as it relates to Armed Services and continue to bring that perspective and support today.

But certainly Senator CORZINE is one of them. And to go on to be so incredibly successful in business, and then to bring that expertise here on behalf of the people of New Jersey to work with all of us I think is an example of a tremendously great American success story. I am proud to have worked with Senator CORZINE and look forward to working with him as the Governor of New Jersey.

I will simply echo my colleagues in saying, when we talk about corporate responsibility and accountability, Senator CORZINE and his expertise has been there. Housing, public transit, homeland security, his passion for Social Security, addressing so many different issues that are important to people, important to communities, important to our democracy, have had the voice of JON CORZINE.

I congratulate you on your service. I congratulate the people of New Jersey on the public service that is to come. And, mostly, I thank JON CORZINE for his generosity of heart and for his willingness to invest in so many ways to better the community with his own resources. This is someone who has been incredibly generous and caring and smart and compassionate and dedicated to the right values that we all care about deeply.

I know he is going to do an outstanding job as Governor and that we will all be better off for his public service.
With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I stand here today to not only say thank you but to congratulate the Senator from New Jersey, the Governor-elect of New Jersey, Jon Corzine.

For me, my whole life has been touched by many people who have helped me live the American dream. But it is an American dream, too, that has come with challenges in dealing with the issues of poverty and in dealing with the issues of racism.

There was a time in my life when I thought anything was possible for anyone in America. There was also a time in my life when I thought there were limitations placed on myself personally that I could never overcome because of the history of racism and the effects of poverty within my own life.

Notwithstanding the fact that I was a proud member of the greatest generation of World War II, soldiers who fought in World War II, and steeped in the history of New Mexico and southern Colorado, there were many people who, when I decided to seek this position in the Senate, thought that it could not be done. Many people who brought up reason after reason why it could not be done. There were many people who thought anything was possible for anyone in America. But it is an American dream, too, that has come with challenges in dealing with the issues of poverty and in dealing with the issues of racism.

There was a time in my life when I thought anything was possible for anyone in America. But it is an American dream, too, that has come with challenges in dealing with the issues of poverty and in dealing with the issues of racism.

Senator Corzine told me that, yes, it was true. He might have found his success on Wall Street, but his values were not like that. He might have found his success on Wall Street, but his values were not like that. He might have found his success on Wall Street, but his values were not like that.

One of the people who disagreed with those conclusions was Jon Corzine. Jon Corzine told me that, yes, it was possible to still believe in the American dream, that no matter what your background is and no matter what your economic circumstance might be, everything is still possible here in America. His inspiration and his vision and his leadership contributed to my serving today in the Senate.

When I characterize my friendship with Jon Corzine and look at him as a person and as a leader, the words that come to my mind are "an authentic leader." He is who he is. He is a very successful businessperson, but he is the kind of person whom we ought to have in the Senate all of the time; that is, people who care about our Nation and the people whom we represent here every day. He has put them and our Nation ahead of his own self-interest. That is the legacy that we now pass on to New Jersey, the legacy that New Jersey has grabbed for itself, as they do, as part of the recent past, as part of the recent past.

I did not know Jon before he came here. I heard about his campaign. I did not know him here on Wall Street. I, frankly, must confess, I did not know what quite to expect. Having seen the movie "Wall Street," I almost thought that Michael Douglas would walk in the door in a $3,000 suit and with expensive accoutrements.

Jon survived Wall Street because he is not like that. He might have found his success on Wall Street, but his values were formed in the heartland of America and in the U.S. Marine Corps. He believes very deeply in values that are important and central to our party and to the people of this country: the notion of opportunity for all and the notion that this is a community, not just a collection of individuals.

His service in this body has exemplified those values and made us all extraordinarily proud. I served with Jon on the Senate Banking Committee. As the chairman and ranking member at various times of the Housing and Transportation Subcommittee, I was familiar with all of Jon's efforts in making real progress on issues of importance to the people of New Jersey and the people of this country.

My friend and colleague, Senator SARBANES, has pointed out some of those, and I would like to, for the Record, amplify again what Jon has done.

The Federal Housing Administration Multifamily Housing Program provides insurance to those seeking to build multifamily rental housing. The program has played a critical role in the development of affordable multifamily rental housing. However, as the cost of building new housing has dramatically increased in recent years, Federal multifamily mortgage insurance loan limits have failed to keep pace with inflation.

In 2002, Senator Corzine led the way to secure passage of a provision to raise FHA multifamily loan limits by indexing them to the annual construction cost index to ensure that the program keeps pace with inflation.

In 2003, Senator Corzine further improved the FHA multifamily loan program by securing passage of legislation to boost those limits in high-cost communities around the country.

Specifically, his legislation raised the loan limits in high-cost areas to 140 percent of the statutory base limit and by 170 percent on a project-by-project basis.

These increases have been vitally important in the construction and rehabilitation of affordable rental housing in high-cost States such as New Jersey and my own State of Rhode Island where the shortage of affordable housing has become a crisis.

Jon recognizes that at the heart of every family's efforts to educate their children, to find work, to hold work, is the need for safe and affordable housing. Senator Corzine has been on the vanguard of that effort. I salute him for that.

He has also been particularly concerned about housing for veterans. The Department of Veterans Affairs Home Loan Program provides home financing for veterans who often, because of their time spent serving our Nation, have not had the opportunity to build up the credit they need to qualify for a conventional mortgage. Senator Corzine voted to increase veterans' home purchasing power, which became law as part of the Veterans Benefits Improvement Act of 2004, raised the loan limits available under the VA Home Loan Program to allow veterans to obtain mortgages of up to $333,700, the same level available in the traditional mortgage market.

Finally, the Senator from New Jersey has been a fierce advocate for mass transit funding, not in his home State of New Jersey but across this country. He has been particularly effective, though, in helping his home State.

Senator Corzine was instrumental in providing legislation to help build a commuter rail tunnel under the Hudson River, as part of the recently passed Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. The language that Senator Corzine included will expedite the proposed rail tunnel under the Hudson River, which will require the Federal Transit Administration to sign a Full Funding Grant Agreement with New Jersey Transit that will provide the Federal funding needed to complete the tunnel, and in so doing not only will he assist the people of New Jersey, but he will assist the economy of this Nation, since so much is dependent upon transit access through New Jersey to the Eastern Seaboard, Boston, New York and down to Washington. We are going to miss Senator Corzine immensely in the Senate, but he is going forth now to a mission that is equally important; that is, to serve the people of New Jersey as their Governor. I know he will be successful. And I know those values of opportunity and fairness and tolerance and decency that exemplified his service in the Senate will mark him as a remarkable Governor for the State of New Jersey.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, knowing Jon Corzine as I think I do, if he had known he was going to have to sit through all these speeches after he spoke, he would have come down here a lot later at night, I suspect, or certainly waited until we got out of town, because that is the nature of this Senator, Governor to be. I want to listen to my colleagues and I listened to his speech. He left us with some important warnings, some important pleas, which I hope colleagues will take seriously. I would incorporate
into my comments about Jon all of the things Senator SARBANES said. They were a wonderful summary of what he did and how he did it, his accomplishments.

He did veterans, and he has been a passionate advocate for public transportation. He was instrumental in housing. These are the sorts of signal accomplishments you can measure, which he can point to and colleagues have, that define the few years he has been here. I say a word or two about the things that helped push him in the direction that he has been here for awhile.

I am thrilled, and I know when I was privileged unselfishly to speak in New Jersey, I could feel it in the people of New Jersey who obviously were inundated with an onslaught of confusing and reprehensible kinds of claims in the context of a campaign, which we have seen too much of but he plowed through that with, because of that idealism and his sense of purpose for the State. Those folks are anticipating the same kind of excitement that he said in his comments he will bring to this new challenge.

The people of New Jersey have been chosen wisely. They are going to have a leader who will do exactly what Senator SARBANES talked about. He has the opportunity to make that State one of the great laboratories in the country, to do what we are unsuccessful and unwilling to do too often at this moment in our history here in Washington. I almost envy him that opportunity to grab the executive reins and go out and do it. He is going to be an exceptional Governor. He is going to continue to have an impact on what at least Congress chooses to do because of those priorities that he sets in the State.

There is no question in my mind that our caucus, which has looked to him regularly as sort of the resident expert on issues of financial trade, Wall Street matters, is going to miss that expertise enormously.

I thank this Senator for his service to us, to the country, and we look forward to the hours he will provide as Governor of New Jersey.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I rise to wish Senator CORZINE the very best as he goes from service in this body to become the next Governor of the State of New Jersey. I have had the privilege of serving with Senator CORZINE on the Budget Committee. He has been a valuable member of that committee. He has made an extraordinary contribution to this body, and he is deeply respected by colleagues on both sides. It is fair to say that no one on the Senate Budget Committee and no one in this Chamber has a better understanding of financial markets or economic issues than Senator CORZINE.

On the Budget Committee, Senator CORZINE has warned, especially of the risks of exploding deficits and debt. As someone who has been extraordinarily successful in the private sector, and as someone who has displayed in the real world a profound understanding of what moves markets, Senator CORZINE has a voice we would want to hear when he says to the members on the committee and here on the Senate floor that we are running unacceptable risks as we run up the deficit and debt of the United States. Senator CORZINE has time after time alerted us to the risks to the economy of higher interest rates as a result of burgeoning deficits and debt.

Senator CORZINE has told this body and told this country that it is unsustainable to double the foreign holdings of our debt in 5 years. It is remarkable and terribly unfortunate that in 5 years, we have taken the external debt of the United States, which was $1 trillion 5 years ago, to $2 trillion today.

Mr. President, it took, as Senator CORZINE has pointed out, 224 years to run up a trillion dollars of external debt, and that amount has been exceeded in the last 5 years. Senator CORZINE has said consistently and firmly that these are risks that are being run that have the potential to lead to a dramatic increase in interest rates, which would have negative consequences—extremely negative consequences for the American economy. It would threaten economic growth, and has the potential to put us into recession.

Mr. President, we have been fortunate to have some of Senator CORZINE’s character and wisdom serving with us in the Senate. I am going to miss Senator CORZINE very much. He has been such a strong member of the Budget Committee—someone to whom we could look for expertise that is highly regarded by all Members of this Chamber.

I know Senator CORZINE will do a remarkable job as Governor of the State of New Jersey. As he leaves here, we wish him well. I thank the Chair.

Mr. DAYTON. Mr. President, I also would like to join with colleagues in paying tribute to our departing Senator from New Jersey, Senator CORZINE. I met him for the first time when we were both sworn in on January 3 of 2001.

Even before that time, I knew of his success but also his high caliber by virtue of the fact that he was cochairman of a great firm, Goldman Sachs, whose previous contributions to the U.S. Government included John Whitehead, Deputy Secretary of State under President Clinton, and Robert Rubin, the Secretary of the Treasury under President Clinton. Senator CORZINE followed...
men who could do anything they wanted with their lives for the rest of their lives but had chosen to commit themselves to public service.

It has been an honor and a privilege and a pleasure to serve with Senator CORZINE these last 5 years, to learn from his own wisdom and experience as it relates to so many matters affecting the betterment of our country, and then to watch him forgeo what would have been a safe track and a relatively easy reelection next year as a Senator because he would be an outstanding member of bar service to his fellow citizens from New Jersey by acting as their Governor, going through the rigors and ordeals of another campaign, a challenging endeavor but where he sacrificed himself and his own resources in order to give greater service to the people of New Jersey.

Our loss in the Senate with his departure will be a gain for his fellow citizens from that State as he devotes full time to the future of New Jersey. He also worked on behalf of the citizens in New Jersey and the Nation like no tomorrow. And it was not just a nice, smart guy. He is sincere. He listens. And he always does, and he did an excellent job.

Let me also express my appreciation to Senator CORZINE for selecting an extraordinary member of Congress to replace him. While we will miss Senator CORZINE greatly, BOB MENENDEZ is going to be an excellent Senator for New Jersey. It is a credit to Senator CORZINE to have chosen such a talented and committed public servant, who I am confident will not only represent New Jersey well but will also help this body better represent the great diversity of our Nation.

Now Senator CORZINE moves from Washington to Trenton, where he will take home very substantial changes. But, nobody should ever underestimate JON CORZINE. The people of New Jersey have selected a man who not only has extraordinary talent but someone who always give it everything he has. I know he will serve and I know at the end of the day, he will remain what he is today: a kind, humble, and principled person who represents the very best of our Nation.

Mr. DURBIN. Mr. President, I just want to mark a farewell party for my colleague, JON CORZINE of New Jersey. He is, of course, leaving the Senate in a few days to become Governor of the State of New Jersey. Congressman BOB MENENDEZ will be appointed to fill his vacancy and stand for election in about a year.

I am going to miss JON CORZINE for a lot of reasons. First, we have a lot in common. JON was born and raised in the small town of Willy Station, which is just a few miles from the bustling metropolis of Taylorville in Christian County, IL, just a few miles from where I live. I know a little about the Corzine family today, and I sense what his upbringing was all about. He grew up on a farm, with a dad who raised corn and soybeans. It was not a comfortable and wealthy existence, but it was a great upbringing. He was raised in the Midwest tradition of working hard. He started at age 13 with Bob Job. He went through a way through college, going to the University of Illinois where he was a walk-on on the basketball team. He has assured me time and again he was no superstar. But the fact that he did that and served in the Marine Corps and went on to the University of Chicago for a master’s degree in business tells me he is a person who had a good work ethic—not only that but a great deal of talent.

JON’s career took him to the highest levels in the business world. He was a partner at Goldman Sachs at the age of 33. He was cochair and co-CEO of that investment banking giant at the age of 50. He started there fetching coffee for...
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his superiors. He came up not only quickly but the right way. When he was first running, I remember reading accounts in the New York Times about what kind of a CEO he was. He knew the elevator operator’s name, and he would say hello to every mailroom worker. He understood that workers there needed to try to provide financial assistance so that workers could go on to earn a college degree.

That is the same Jon Corzine I came to know in the Senate, a very caring and compassionate individual in so many different ways. He would fight tooth and nail for things he believed in, and he would also pick causes that were not quite that popular and put all of his energy and skill at work on them as well.

I can recall the terrible genocide in Darfur and how he made that his issue. Time and again, he came to the floor of the Senate to remind all of us about that tiny country on the other side of the world and the people being oppressed. That was Jon Corzine.

Time and again, he showed us that you could be both financially successful in life and not lose your bearings when it came to good moral conduct and good values.

When I think about his heroes in life, I share many of them. He used to talk about Paul Douglas, the first man I worked for in the Senate as a college intern. Paul Douglas was from the University of Chicago faculty, and he was a person I admired many of. Not only because he worked hard and did his best to speak for the common man, but because he was all over the State appreciating the variety of life you can find in Illinois. Then, of course, was his successor and protege, Paul Simon, whom I was honored to succeed in the Senate, also a friend of Jon Corzine’s. So we had the Paul Douglas and Paul Simon connection. And, of course, the admiration Jon Corzine had for them said a lot.

When I look back at these heroes of Jon Corzine, I realize that we have that much in common—our Illinois roots and a lot more. We come from the same place. We share many of the same values. We fought on the same side of many of the same battles. We share many of the same heroes. Like Jon Corzine, I admired Senators Douglas and Simon. I had the privilege to know and work with them. Paul Douglas helped to save the Social Security Act. Jon Corzine helped to save it. Like Paul Douglas, Jon Corzine is a brave champion of civil rights, economic justice, and the environment. Like Paul Douglas, Jon Corzine is unafraid to speak his mind for the good of the country.

All in all, I am certain that Paul Douglas and Paul Simon would approve of the short, though important, Senate career of Jon Corzine. They would thank him, as we all do, for fighting hard and well for people and values of this great Nation. I will miss Jon Corzine. The people of New Jersey have made a wise choice. He will be a good, thoughtful, compassionate leader of their great State. I look forward to working with him for many years to come for the values that we share.

I yield the floor.

The PRESIDENT pro tempore of the Senate announces that Senator DURBIN has recently added to the mix. I think I had heard that but had forgotten it. He was successful in the financial world in an extraordinary way. He was a marine. Of course, every marine I have known has been shaped by that, and I believe Senator Zell Miller wrote a book saying that everything he ever needed to know he learned in the Marine Corps, or something to that effect.

Jon Corzine has been an active Member of the Senate. I remember the time we spent together in Montgomery, AL, on a civil rights trip. We were at the church where Martin Luther King preached in on Dexter Avenue, the Dexter Avenue Church. We had a discussion at that time about Rosa Parks, whom we have just honored and who recently passed away. At that very meeting, I heard the efforts of the bus boycott that ended the concept that a person must go to the back of the bus because of the color of their skin. Jon Corzine didn’t have to go to Montgomery, but he was interested in those issues and fought strongly in equality and civil rights.

Senator Corzine has been a strong advocate for the Democratic Party and its principles, heading its campaign committee. We didn’t agree on those issues, but he was always courteous and professional. I cannot remember a single harsh word that we have had. In fact, I cannot remember him having a harsh word with any other Senators.

I have enjoyed the opportunity to know Jon Corzine again and respect for him. I wish him every success as Governor of the important State of New Jersey. That will be a challenge, but he has the gift and ability necessary to be successful in that job.

Mr. LEAHY. Mr. President, I rise today to congratulate and bid farewell to my friend and colleague, Jon Corzine.

Our world has changed quite drastically since Jon first joined the Senate. The country’s conversations work with him on the many issues we were forced to confront following the terrorist attacks of September 11, 2001. We will miss Jon’s leadership and determination on behalf of his constituents in New Jersey and the American people.

While Jon has served in the Senate for a relatively short period of time, he leaves an important legacy of leadership on issues ranging from protecting our homeland to drafting legislation that stabilized our financial markets. Rarely in this body does one Senator see the enactment one of their first bills introduced as a freshman Member. But Jon did just that when he called for mandatory Federal standards to protect our Nation’s chemical plants and saw that become law.

When the entire corporate and financial community was rocked by pervasive accounting scandals, Jon was instrumental in enacting extraordinary changes to accounting oversight that stabilized confidence in our markets when they were teetering. He recognized that Americans were at risk, and he worked tirelessly on their behalf, a recognition that Americans were at risk, and he worked tirelessly on their behalf.

As further testament to Jon’s leadership and determination, he will certainly be remembered for his work to secure an end to the terrible genocide that the world has witnessed in western Sudan. As the ranking member of the Foreign Operations Subcommittee, I can personally attest that Jon repeatedly brought the reality of this terrible tragedy to the attention of all of us. He knew that the solution would not be Democratic or Republican. Instead, he reached across the aisle, demanded a call for action, and spoke eloquently for those without a voice.

I will miss my friend, Jon Corzine, here in the Senate. I have enjoyed the time we shared working together in this body. Marcelle and I wish him all the best as he moves on to the new and exciting challenges that await him in Trenton. His service to American people in the United States Senate has been selfless. His departure is a loss for the United States Senate but a great gain for the citizens of New Jersey.

Mr. JOHNSON. Mr. President, I rise today to pay tribute to my colleague, Senator Jon Corzine, who is leaving the Senate and will be sworn in as the Governor of New Jersey on January 17, 2006.

I have greatly appreciated working with Senator Corzine during his time in the Senate. We have served together on the Banking, Housing and Urban Affairs Committee, the Energy and Natural Resources Committee, and the Select Intelligence Committee. Knowledge and experience will be missed on these committees, and in the Senate as a whole.

While Senator Corzine will be continuing in public service, he has already had a long and distinguished career. After serving in the Marine Corps, he received an MBA from the University of Chicago and began working in
Mr. PRYOR. Mr. President, I rise to pay tribute to the career of my colleague Senator JON CORZINE of New Jersey. This institution has benefited greatly from his presence, and the people of New Jersey can be proud that he has chosen to leave the Senate to assume the governorship of New Jersey.

I yield the floor.

Mr. WYDEN. Mr. President, I rise to say a few words about our good friend and colleague, Senator CORZINE, who will be leaving the Senate to assume the governorship of New Jersey.

What I would like to do—because I have heard a lot about Senator CORZINE and his background in Illinois today—is to talk about when I saw him in action for the first time. It was when the Senate was working on the post 9/11 airline relief legislation. A lot of us were very troubled about how that legislation would not have helped taxpayers while providing some help to the airlines. Senator CORZINE took out a sharp pencil, using the expertise he had acquired in his years at Goldman Sachs, and throughout his career, directed to one sector of our economy that was very troubled about how that legislation would not have helped taxpayers while providing some help to the airlines. Senator CORZINE is a man that knows how to be successful, whether as a leader in the field of banking or as a champion on behalf of the interest of working families as a U.S. Senator.

His commitment to public service is commendable, and he has set a positive example for his fellow lawmakers when it comes to establishing the right priorities for Government. His philosophy is one of inclusion, which seeks to ensure that no American is left out of the enterprise of this great Nation.

I am particularly grateful for Senator CORZINE’s work on the Banking, Housing and Urban Affairs Committee. His was an early voice for revamping the laws governing corporate accounting practices, long before the events of WorldCom and other accounting scandals exposed the savings of thousands of loyal employees and shareholders, tarnishing the reputation of corporate America. Before, during, and after the debates that produced the landmark Sarbanes-Oxley corporate accountability legislation, Senator CORZINE was there with the knowledge and energy to provide much needed solutions to a serious problem. He has also championed many other inventive policies to tackle our Nation’s problems, including his “Kid’s Account” savings plan, his work to protect individuals from identity theft, and his initiatives to promote financial literacy for all Americans.

In addition to finding creative solutions to the financial problems that our country faces, Senator CORZINE has also been a reliable defender of public education, affordable health care and prescription drugs, and support for our military. As a member of the Senate Budget Committee, he has championed the priorities of everyday, working Americans tim and again. He consistently opposed the fiscal policies that have led our Nation to a path of dangerous budget deficit, choosing instead to vote for sound economic and social policies that would keep America strong and healthy.

I wish my colleague from New Jersey the best of luck as he enters into this new chapter in his public life. His presence will be missed but his work on behalf of working Americans will not be forgotten.

Mr. AKAKA. Mr. President, I rise to join my colleagues in thanking the gentleman from New Jersey, Senator JON CORZINE, for his service to the people of the Garden State and the rest of our country. My colleague and friend brought his extensive experience from corporate America to bear on the business that we conduct here, and our country greatly benefited from his expertise.

I have been proud to call Senator CORZINE my colleague, and I congratulate him on his election. I also want to wish him luck on the new responsibilities he takes on and the new challenges he will face. Senator CORZINE, you will be missed.

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STABENOW, ENZI, ALLEN, and others, to bring to light the need to reverse economic and financial illiteracy in our country.

Senator CORZINE has been an important ally in supporting several of my initiatives in this area, including annual efforts to secure increased funding for the Excellence in Economic Education Act for grades K through 12; efforts to work on college campuses through the College Literacy in Financial Education Act or LIFE Act, S. 468; and annual resolutions designating April as the month for highlighting the need for financial literacy.

I have been a proud cosponsor of his initiatives in this area, S. 923, S. 924, and S. 925. The TANF Financial Education Promotion Act, S. 923, requires a State to specify how it intends to establish goals and take action to promote financial education among parents and caretakers receiving Temporary Assistance for Needy Families assistance. The 2001 Temporary Assistance for Needy Families Act, S. 882, authorizes grants for financial education programs targeted toward mid-life and older Americans, including striving to increase financial and retirement knowledge and reduce individuals’ vulnerability to financial abuse and fraud. Finally, the Youth Financial Education Act, S. 925, authorizes grants to State educational agencies for the development and integration of youth financial education programs for students in elementary and secondary schools, as well as a grant to establish and operate a national clearinghouse for instructional materials and information regarding model financial education programs and best practices.

It is clear that my colleague from New Jersey cares about giving people access to additional tools that can help them make decisions about credit and debt management, spending and saving, and access in a world of limited resources, in addition to helping increase their financial acumen so as to avoid being taken in by predatory credit offers and unscrupulous marketing. I commend him for taking this broad view, and wish him and his family well as he goes on to lead the Garden State as its Governor.

Mrs. LINCOLN. Mr. President, today I rise to pay tribute to my friend and colleague Senator and now Governor-elect JON CORZINE. With his election to the Governor's mansion, JON CORZINE has been a source of wisdom and a great friend to me and to many of my colleagues.

JON CORZINE was elected to the Senate after serving as cochairman and cochief executive officer of the investment company Goldman Sachs. During his time in the Senate, he has focused on serving the State of New Jersey, applying his financial expertise to major economic and regulatory issues and pushing for a forward-looking, progressive agenda.

Senator CORZINE has pursued new safeguards to protect chemical facilities against terrorist attack, introduced legislation to improve access to education and health care, fought for stronger environmental policies, and lead the effort in Congress to crack down on corporate abuse.

The Senate has adopted Senator CORZINE’s resolution declaring the need for new safeguards at the Nation’s vulnerable chemical plants. He also secured Federal funding toward the construction of a second railroad tunnel underneath the Hudson River, long sought by New Jersey's delegation, and won Federal support for a wide variety of community and economic development projects throughout the State of New Jersey.

On a more personal note, it has been a great pleasure for me to work with such a gifted and dedicated public servant. He has never hesitated to put the people of New Jersey and the people of this Nation first. The people of New Jersey have made a wise choice in selecting him as the chief executive of their great State. He will take the same enthusiasm and professionalism to the Governor’s mansion that he has exhibited here in the Senate.

I wish him well in his new responsibilities. I know that he will be a benefit to the people of his home State of New Jersey. We will miss his passion and insight here in the Senate. But our loss will be the people of New Jersey’s gain. Farewell.

Mr. LEVIN. Mr. President, although we will miss him greatly in the Senate, I join my colleagues in congratulating Senator JON CORZINE on his election as Governor of New Jersey. It has been a pleasure to serve with JON on the Intelligence Committee and to work with him on issues of corporate accountability. He has been a strong and determined leader here, and I know he will continue to make the people of New Jersey proud for years to come.

JON CORZINE has led a distinctly American life. He grew up on a family farm. He served his country in the Marine Corps Reserves. He had extraordinary success in business as a self-made man. And he has continued to serve his country in public life, first as a Senator and soon as a Governor. JON loves America and fights for what he believes is best for our people.

In the Senate, JON has used the financial expertise he gained at Goldman Sachs to become a singularly credible voice for corporate reform. He was a driving force on the landmark Sarbanes-Oxley legislation, which cracked down on corporate abuses such as those that led to the Enron and WorldCom scandals. He has been a leader in strengthening oversight of the mutual fund industry and on protecting the financial privacy of Americans. JON has also been at the forefront of promoting financial literacy, so that Americans can manage their personal finances wisely.

Working with JON on the Intelligence Committee, I have seen JON’s piercing mental acumen and commitment to protecting our country. Following the September 11 attacks, which took a heavy toll on his State, JON recognized the weakness of our system of chemical plant security. He seized that issue and did not let go. In Congress, Congress finally acted to meet the new regulatory requirements at chemical plants based on JON’s work. That this necessary improvement in our security will be substantially improved is due to his tenacity.

On every issue, JON has been outspoken in support of policies that benefit working Americans. He has fought for universal health care, for expanded student aid, and for full funding for education programs. JON has also been a passionate voice for human rights around the world. Just last month, the Senate approved the Darfur Peace and Accountability Act, which JON sponsored with Senator BROWNBACK, to help stop the genocide in the Sudan.

During his short time in the Senate, JON CORZINE has made a big impact. He is a unique voice that will be personally missed. I join my colleagues in saluting JON on his election as Governor and in wishing him well in his new position.

Mr. FEINGOLD. Mr. President, I am proud today to join in honoring JON CORZINE and congratulating him on his outstanding service here in the Senate. I have had the pleasure of working with him for 5 years and have found him to be a tremendous ally on a number of issues, as well as a great friend and colleague.

This Senate has benefited enormously from his hard work and commitment since he came to this body in 2001. I have served with him on both the Foreign Relations and the Budget Committees, and have worked diligently and effectively, with members from both sides of the aisle, and always in the best interests of the American people.

Senator CORZINE has led the effort to stop the ongoing violence in Darfur with the bipartisan Darfur Peace and Accountability Act of 2005, of which I am a cosponsor. I applaud his efforts in this area, as well as his work to reaffirm support for the Convention on the Prevention and Punishment of the Crime of Genocide. This is a critically important legacy that will help the world face the tragedy in Sudan. There has never been a more important time for the U.S. to recommit itself to ending the crime of genocide, and Senator CORZINE has taken a lead role in that effort.

We have also worked together on issues of great concern to us both—racial profiling and the death penalty. On both these issues, Senator CORZINE has been a courageous voice for justice and fairness. He has been steadfast in his efforts to ban racial profiling, a practice that runs contrary to the fundamental American value of equal treatment under the law. And he has been just as dedicated in focusing attention...
on the glaring flaws in the administration of capital punishment, and in calling for a thorough, nationwide review of the death penalty.

Finally, I want to say that I am deeply grateful for Senator CORZINE’s support of my amendments I offered concerning the Senate’s consideration of the PATRIOT Act in October of 2001. I was proud to have his support that night, and I have been proud to work with him as a cosponsor of the SAFE Act. I can’t think of a better time to thank him for his protection of America’s freedoms than today, in the midst of a fight to make reasonable changes to the PATRIOT Act.

JON CORZINE has earned the utmost admiration and respect during his time in the Senate. I will miss him as a colleague and friend, but I am so glad that he will continue to serve the people of New Jersey with such dedication and integrity. I have no doubt that he will be an outstanding Governor, and that he will be a national leader on the issues to which he was so committed in the Senate.

So today I join my colleagues in thanking Senator CORZINE for his work in this body. He is a great public servant and a good friend. I wish him all the best.

Mr. LIEBERMAN. Mr. President, it is my honor today to pay tribute and bid a fond farewell to my colleague and friend Senator JON S. CORZINE of New Jersey. Senator CORZINE and we know will be leaving the Senate next month to serve as New Jersey’s Governor, and before he leaves us to begin what I can only be certain will be a wildly successful and innovative tenure as New Jersey’s chief executive, I thought it appropriate to take the time to celebrate not only Mr. CORZINE’s fine service in the Senate but his inspiring life story as well.

In many ways, JON CORZINE’s life is an example of the American dream fulfilled. Mr. CORZINE was born on New Year’s Day, 1947, and grew up on his family’s farm in Willey’s Station, Ill. His father ran the farm and sold insurance, his mother was a public school teacher. Through his own hard work and that of his family, Mr. CORZINE attended the University of Illinois at Urbana-Champaign, where he graduated Phi Beta Kappa in 1969. After graduating college, Mr. CORZINE served his country by enlisting in the U.S. Marine Corps and he continued in the Reserves until 1975, rising to the rank of sergeant in his infantry unit.

After Senator CORZINE’s Active Duty was up, he began what would become a long and successful career in the finance sector. His first job was with the Continental Illinois National Bank in Chicago, where he worked as a portfolio analyst. At the same time, Mr. CORZINE began taking night classes at the University of Chicago’s Graduate School of Business, where he received his MBA in 1973.

In 1975, after working briefly at a regional bank in Ohio, Mr. CORZINE was recruited to go to work for the New York investment firm Goldman Sachs as a bond trader, beginning what would be a meteoric rise through the company’s ranks. After only 5 years, Mr. CORZINE was named a partner in the firm. In 1994, Mr. CORZINE became both the firm’s chairman and chief executive officer. Through hard work, Senator CORZINE rose from his family’s farm in rural Illinois to being the chief executive officer of a New York investment firm.

But the story doesn’t end there for Mr. CORZINE. He had a very successful tenure at the helm of Goldman Sachs. When he took over in 1994, the proud and respected firm was in a period of some decline. But Mr. CORZINE and his team turned the company’s fortunes upwards. During his 5 years as chief executive, Mr. CORZINE also oversaw the firm’s successful transition from a private partnership to a public company.

While serving as chief executive, Mr. CORZINE also demonstrated a passion for public service. Under his leadership, Goldman Sachs was a strong corporate citizen, experimenting with outreach and philanthropic programs. Mr. CORZINE also chaired a Presidential commission that studied how capital budgeting could be used to increase Federal investment in education.

It is this commitment to public service that I saw JON CORZINE bring to his work in the Senate everyday. Elected in 2000 by the people of New Jersey, Senator CORZINE has been a tireless advocate for corporate accountability, helping to overhaul the Sarbanes-Oxley Act, and has worked to protect our environment, where he has been a steadfast ally in the fights to prevent drilling in the Arctic National Wildlife Refuge and to tackle climate change. On economic issues, I think of a better time to thank the Senator for his service and his friendship, and I look forward to opportunities to work with him again in his new capacity as Governor of New Jersey.

Again I congratulate him on his victory. I thank him for his service and his friendship, and I look forward to opportunities to work with him again in his new capacity as Governor of New Jersey.

I yield the floor.

Mrs. CLINTON. Mr. President, I wish to speak briefly about our colleague Senator JON CORZINE, congratulate him on his recent election as Governor of New Jersey, and also thank him for his great contribution to the Senate and to the entire country during the time he served here.

JON came to the Senate from a very successful career on Wall Street. We are all aware of that. He came here for the best of reasons: his desire to make a difference, to improve the situation of average Americans in this country, to see that this country pursued an economic course that created opportunity and jobs for the people he represented in New Jersey and throughout this country.

On economic issues, I think all of us in the Senate came to believe—I certainly did—that no one was better able to read the tea leaves about what was happening economically in this country, what was happening in the various economic statistics which come out each week, than JON CORZINE. He could understand the economic circumstance we continue to struggle with in this country and the impact it is having on the lives of average Americans.

While he has been here, he has demonstrated a passion for fairness to all in our society. He has not been a representative of Wall Street. He has been a representative of the great mass of the American people. He has looked to raise the standard of living of all workers and lift all boats. We all owe him a debt of gratitude for that passion he has brought to this job.

I serve as the ranking Democrat on the Senate Energy and Natural Resources Committee. We have been very fortunate that JON has served on that committee as well. He has been an active participant in the writing of energy legislation, which we passed earlier this year. He made a great contribution in that legislation. In short, JON has had a very distinguished career on Capitol Hill. I am confident that he will have a very distinguished career as Governor of New Jersey and will have a very long and successful career in public life.

Again I congratulate him on his victory. I thank him for his service and his friendship, and I look forward to opportunities to work with him again in his new capacity as Governor of New Jersey.

I yield the floor.
January, he will resign his seat, bound for greener pastures. While he will be missed tremendously in this Chamber, I know that, as Governor, he will serve the people of New Jersey well.

Senator CORZINE and I were elected to the same Senate in the same year, and I have since been glad to have his friendship and advice. I would also like to say, how fortunate New Jersey has been to be represented by Senator CORZINE. I am proud of the work that we did together in the time we shared in the Senate and am sad to see him go.

Along with his dedication to building a practical, progressive Government, Senator CORZINE always brought a fresh and original perspective to this body. His previous career as a cochairman and CEO at Goldman Sachs allowed him the benefit of invaluable experience in helping to solve the problems that face our economy and our financial sector. His combination of principles, passion, and expertise to help craft legislation to promote economic growth.

Consider Senator CORZINE’s role in crafting the Sarbanes-Oxley Act of 2002. His work on this bipartisan legislation and reform reforms that, in the wake of corporate abuse scandals, restored confidence in the markets, protected shareholders, and ensured that additional and more impartial oversight would act to prevent the damage to our economy that might flow from unchecked corporate malfeasance. Senator CORZINE stood by his principles, worked with Democrats and Republicans, and used his expertise to help craft legislation to promote ethics, accountability, and economic growth.

We can also look to Senator CORZINE’s efforts to end the crisis ravaging Darfur, Sudan. I was proud to co-sponsor the legislation by Senator CORZINE and Senator SAM BROWNBACK to expand aid to the African Union and provide a framework for tackling the ongoing violence. We can all be proud that Senator CORZINE was able to help usher the Darfur Peace and Accountability Act through the Senate. His dedication to the issue and commitment to stopping the genocide is admirable, to say the least. Senator CORZINE has stood by his values, and worked hard to see those values reflected in the work of the Senate, the Congress, and the Nation.

Recently, I joined Senator CORZINE in introducing legislation to help the victims of sexual assault receive the medical treatment they need and deserve. Senator CORZINE believes as I do that we have a duty to these women; a woman who has already suffered so much should not have to worry about whether she will be offered emergency contraception to prevent an unwanted pregnancy. Senator CORZINE’s passion for protecting access to health care and medical treatment, and to protecting the rights of patients, is truly exemplary.

Finally, Senator CORZINE served New Jersey and its constituents with compassion and dedication in the days, weeks, months, and years following the attacks on September 11, 2001. New Jersey and New York shared in so much grief and loss that day, and Senator CORZINE was tireless in his commitment to the citizens of New Jersey who bore the burden of that loss.

In the years since, he has remained steadfast in fighting for the families of 9/11 and fighting to strengthen our Nation’s response to terrorism. His hard work to secure our Nation’s vulnerable chemical facilities serves as a noteworthy example. I was proud to co-sponsor his legislation to safeguard our Nation’s chemical plants, the Chemical Security Act, and share in his commitment to doing all we can to strengthen America’s homeland security.

I would also acknowledge Senator CORZINE’s tenure at the Democratic National Convention and Senate in his leadership at the DSCC and throughout his time in office, Senator CORZINE served with honesty, integrity, and a passion for improving the lives of all Americans.

Jon CORZINE’s absence will long be felt in the Senate, as will his good work. He brought his expertise and values to bear on the challenges facing our economy, our security, and our country.

To the great benefit of the citizens of New Jersey, JON CORZINE—while retiring from the Senate will bring his values, his expertise, his passion, and his dedication with him to the Governorship of the Garden State. The citizens of New Jersey will no doubt continue to be fortunate to have JON CORZINE in their corner.

Mr. BROWNBACK. Mr. President, as Senator CORZINE spends his final days representing the people of New Jersey in the Senate, I offer a few moments speaking about his commitment to human rights and the pressing crisis of genocide in Darfur, Sudan.

I have worked on the issue of war and humanitarian disaster in Sudan for several years. But nearly 2 years ago, as the Comprehensive Peace Agreement for Sudan was in its final negotiations, we became aware of the unfolding crisis in Sudan’s western region of Darfur. It was Senator CORZINE who encouraged me to work together and champion this issue. We joined each other on the Senate floor in countless speeches showing photos of the anguish in Darfur. We joined each other in seeing the Darfur Peace and Accountability Act through the Senate. We joined each other to secure funding for the security and humanitarian needs of the people.

I have had the opportunity to work with many Members across party lines on human rights and humanitarian issues including working with Paul Wellstone on the Trafficking Victims’ Protection Act. Some called us strange bedfellows since we were at opposite ends of the political spectrum. But I have learned an important lesson: these issues are sufficiently urgent that ideological and partisan differences should not be allowed to impede cooperation, especially where lives and basic freedoms are at stake.

And such has been true in the case of Darfur. I have no doubt that Senator CORZINE’s commitment and perseverance to raise this issue to the highest levels has made a difference to the people of Darfur. I also saw firsthand his tireless compassion and commitment to the suffering of the world when we traveled to tsunami-ravaged South Asia together earlier this year.

I will always consider Senator CORZINE an ally and a friend on one of the greatest moral issues in foreign policy today. In his absence, I will look to my other colleagues to ensure that this crisis is not easily forgotten.

As we close out 2005, I urge my colleagues to secure additional funding for the African Union in the Defense Appropriations conference and I urge my colleagues in the House to pass the Darfur Peace and Accountability Act. Without continued action by the United States and the international community, more lives will be lost.

I would like to take this opportunity to formally and public thank Senator CORZINE for his partnership and his commitment to the people of Darfur. I express my very best wishes as he leaves this body to become the next Governor of New Jersey.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I believe I am to be recognized by unanimous consent directly following the tributes to Senator CORZINE. I would like to give my heartfelt thanks to the Senator from New Jersey for his service here and his service as a Governor in his home State. He has been indeed a good Senator. His tenure here has distinguished him. That is clearly recognized by people of New Jersey. I believe he is going to be a great Governor for that great State.

Mr. SARBANES. Will the Senator yield me 30 seconds?

Mrs. FEINSTEIN. Certainly.

Mr. SARBANES. I thank the very able Senator from California for her yielding to allow these tributes to Senator CORZINE. I would like to give my heartfelt thanks to the Senator from New Jersey for his service here and his service as a Governor in his home State. He has been indeed a good Senator. His tenure here has distinguished him. That is clearly recognized by people of New Jersey. I believe he is going to be a great Governor for that great State.

Mr. CORZINE. Will the Senator yield for my last word?

Mrs. FEINSTEIN. I certainly will.

Mr. CORZINE. I am appreciative of the Senator’s gracious and kind words.

I thank the very able Senator from California for her yielding to allow these tributes to Senator CORZINE. I know she has been here quite a while waiting to speak on another issue. It was extremely gracious of her to do that. I wanted to recognize that and thank her very much.

Mr. CORZINE. Will the Senator yield for my last word?

Mrs. FEINSTEIN. I certainly will.

Mr. CORZINE. I am appreciative of the Senator’s gracious and kind words as well. I follow with great interest her views and visions on a lot of major issues of the day. I know she is going to speak on one of the more important ones in a few minutes. I am particularly appreciative of her kindness.

The PRESIDING OFFICER. The Senator from California is recognized.