

them, attacked Joe Wilson's wife Valerie Plame and, in the process, disclosed the identity of a CIA agent. There is a question raised as to whether that violates the law. The fact that people work in covert activities and risk their lives for America is something we should never take for granted. The law is designed to protect them. But the White House decided, for political reasons and in order to protect against the disclosure that they were manufacturing intelligence to justify the war, they would attack Joseph Wilson's wife Valerie Plame. For that action and for the statements he made to the FBI and the grand jury, Mr. Libby was indicted. The investigation continues.

#### AHMED CHALABI

Mr. DURBIN. The last issue, which is one that is topical, relates to a man by the name of Ahmed Chalabi. What a fascinating man he is. Ahmed Chalabi is an Iraqi exile, now back in Iraq after the fall of Saddam Hussein. What an interesting history this man has.

In 1992, Ahmed Chalabi was convicted of bank fraud and embezzlement of over \$230 million for a bank he was running in Jordan. To escape the sentence of 22 years in prison, he fled to London and then to the United States, and certainly that wasn't the last we heard of him. He created something called the Iraqi National Congress, which ingratiated itself with the Bush administration to the point where the Bush administration paid to Ahmed Chalabi's Iraqi National Congress \$39 million. Then Mr. Chalabi gave us misleading information about the situation in Iraq, saying there were mobile biological weapons labs, which turned out to be false, information from a source named "Curveball," of all things, one of most discredited sources of intelligence we have ever had who happened to be the brother of one of Chalabi's aides. It turned out that the information he was feeding us all along about Iraq, by and large, was false.

Mr. Chalabi was unrepentant when he was confronted with this. From the London Daily Telegraph, in an article on February 19, 2004, I quote:

Mr. Chalabi, by far the most effective anti-Saddam lobbyist in Washington, shrugged off charges that he deliberately misled U.S. intelligence. "We are heroes in error," he told the Telegraph in Baghdad.

He goes on to say:

As far as we're concerned, we've been entirely successful. That tyrant Saddam [Hussein] is gone and the Americans are in Baghdad. What was said before is not important. The Bush administration is looking for a scapegoat. We're ready to fall on our swords if he wants.

That was not the end of the story. Now that he has misled the Americans into invading Iraq, now that he has us in a position where our American forces are there, he is trying to build up his political fortunes. In May of last year, Iraqi security forces raided his

home for documents, accusing him of passing American secrets to the Iranians and endangering American troops and security. He is currently under active investigation.

You might expect this man would be in hiding. He is not. He is in Washington. He is not being served with a subpoena. He is being served lunch. Do you know whom he has visited with in the last week, this man under active investigation? Vice President CHENEY is one; Secretary of State Condoleezza Rice; Secretary of Defense Donald Rumsfeld; the National Security Adviser, Stephen Hadley; the Treasury Secretary, John Snow. And he is under active investigation by the FBI for having sold American secrets to the Iranians.

I don't understand this. It seems to me that if this man is suspected of endangering our troops, he should be called in for questioning, if not more. Instead, he is being called in for a cup of coffee and a cookie. That is what this administration thinks is playing straight with Iraq.

The American people know better. I am glad yesterday, by a vote of 79 to 19, we told this administration their policies in Iraq have to change.

It is long overdue for the Vice President of the United States to hold a press conference and answer questions. It is long overdue for him to speak truth to the American people, to be candid about the misuse of intelligence leading to the invasion of Iraq, to be candid about his role in disclosing the identity of Valerie Plame to Lewis "Scooter" Libby, to be candid about his role in terms of meeting with oil company executives to create this Energy bill, and to be honest about his relationship with Ahmed Chalabi. The American people deserve straightforward, honest answers.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent to speak for 15 minutes to complete my statement.

Mr. ENZI. I object. We have the pension bill scheduled on a very tight time schedule.

Mr. SCHUMER. It is only an additional 3 or 4 minutes. We have 8½ left, so it would be an additional 5.

Mr. ENZI. OK.

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

#### SAMUEL ALITO

Mr. SCHUMER. Mr. President, 1 month ago, I expected to be on the Senate floor sometime about now engaged in a debate over the pros and cons of President Bush's nominee to the Supreme Court. Of course, I thought it would be Harriet Miers we would be debating. But that never occurred. As the Senate takes up the nomination of Harriet Miers' replacement, Judge Samuel Alito, we should all continually bear in mind how we got to this

point because recent history goes a long way in explaining why the American people want us to examine every portion of Judge Alito's record with great care.

Harriet Miers' nomination was blocked by a cadre of conservative critics who lambasted her at every turn. Why? Because they were not satisfied that her judicial ideology matched their conservative extremism. They were not certain that her legal philosophy squared with their political agenda. In the end, Harriet Miers' nomination was blocked before she could explain her judicial philosophy, before she could have a full and fair hearing to answer the doubters, before she could have an up-or-down vote on the Senate floor. She was blocked by conservatives and Republicans, not Democrats. She was not given an up-or-down vote by many of the same people who are clamoring for an up-or-down vote on Samuel Alito.

The standards seem to change with the nominee. Many of the very people who denied Harriet Miers an up-or-down vote are now saying that there is an imperative to give Samuel Alito one. So before we even begin examining Judge Alito's record, a natural cause for concern is that he was picked to placate a group of vocal and hard-right activists who have been lobbying for him for many years. Many of those who now call for an up-or-down vote are the same ones who denied that vote to Harriet Miers.

Anyone who thinks that this nomination is a foregone conclusion is sadly mistaken. There are too many questions still to be answered, too many doubts still to be alleviated to say this nomination is a slam dunk. The most important thing we must look at is Judge Alito's judicial record. And at least on first perusal, there are reasons to be troubled. In case after case after case, Judge Alito gives the impression of applying meticulous legal reasoning, but each time he happens to reach the most conservative result. That is why he apparently dissented more than most judges in his circuit.

I met with Judge Alito. I found him to be bright and capable and down to earth. He has an impressive life story and history of accomplishment. And his family story is not unlike mine and that of millions of Americans whose families came to these shores in the last two generations and, due to this great system of ours, climbed the ladder of success. But this is about more than legal achievement. In case after case, Judge Alito seems to find a way to rule on the side of business over the consumer, on the side of employer over employee, and often against civil rights, against workers' rights, against women's rights.

Though any analysis is still preliminary—and, of course, we must all wait for the hearings because those will be the most important thing—a quick review of some cases reveals a troubling pattern and warrants tough questioning at Judge Alito's hearing.

Often he stands alone in his decisions, reaching conclusions that almost no other judge has reached or would reach. The machine gun case, *Rybar*, is very troubling. Judge Alito alone found that Congress could not regulate machine guns, even though the majority ruled that Congress could, even though every other circuit to consider the issue ruled the other way, and even though courts have held for the last 60 years that Congress has such power. Judge Alito was in that case and on that issue an outlier.

This is an issue about which there was and is broad consensus. He went out of his way to find a means to reject that law. When I met with Judge Alito, he cited three bases for his dissent. He said the most important was the lack of specific congressional findings that regulation of machine guns affects interstate commerce. I found this explanation, in all honesty, unpersuasive, to say the least. The effect on commerce is obvious. Congress has passed laws relating to machine guns since the 1930s. There has never been any doubt that their possession and sale affect commerce. Ninety percent of the crime guns in New York come from out of State. So of course it affects interstate commerce.

It seems as if, in certain cases, Judge Alito would want Congress to make a finding that the sky is blue before he will give Congress the ability to make laws. So this case raises questions. Will Judge Alito be unduly cramped in his reading of the Constitution? Will he engage in judicial activism to find ways to strike down laws that the American people want their elected representatives to pass and that the Constitution authorizes? It is too early to tell. But this merits serious and tough questioning at the hearing.

There are other cases similarly disturbing. On sex discrimination, Judge Alito was again alone in ruling against the plaintiff in a sex-discrimination suit. Not only was he alone on the original three-judge panel, he was alone when the case was reheard by the entire Third Circuit. He was alone against 11 of his fellow judges who criticized him for raising the bar much too high for a victim of discrimination. The Supreme Court declined to hear the case, so there are more questions. Will Judge Alito be too quick to dismiss victims of discrimination and not give them their day in court?

On title VII, Judge Alito again was alone on a panel in ruling that a civil rights plaintiff had to meet a higher burden to get a trial than the law already provided.

Here is what the majority found extremely troubling. They wrote that "title VII would be eviscerated" if they were to follow Judge Alito's analysis—eviscerated, which means victims of discrimination would have no recourse.

In other cases we find the same thing. In *Chittester*, about the Family and Medical Leave Act; in *Doe v. Groody*, about strip searches, he was on

the other side of the conservative Michael Chertoff. In *Riley v. Taylor*, he was again alone and the majority criticized him for analysis that served to "minimize the history of discrimination against black jurors and defendants." And, of course, Judge Alito was alone again in *Planned Parenthood v. Casey*.

These are just a few of Judge Alito's decisions that raise serious concerns and cry out for tough questioning.

While there is much more reading and reviewing to be done, it is not too early to wonder whether there is a troubling pattern in his record. Is there an overall consistency in his approach to law or just in the result? Does he practice judicial restraint always or only when it allows the right outcome? Does he use the guise of legal reasoning to turn the clock back, as he appeared to do in the machine gun case? How do we resolve some apparent contradictions?

For instance, sometimes Judge Alito goes out of his way to defer to the legislature, as when he wanted to uphold Pennsylvania's spousal notification law. But at other times he goes out of his way to strike down an act of the legislature, as when he wrote Congress could not ban machine guns.

Sometimes he reads the text narrowly, as when he struck down a school's anti-harassment policy, but at other times he reads the text broadly, as when he condoned the strip search of a woman and her 10-year-old daughter, though there was no such language in the warrant.

The disclosures this week of his 1985 Justice Department job application only raise further concern and increase his burden to answer questions fully and forthrightly in the hearing.

In that application he wrote, among other things, that he was "particularly proud" of his work to advance the position that "the Constitution does not protect the right to an abortion."

That statement cannot be dismissed as a "personal view" that will not affect how Judge Alito will approach the legal issue. It is a flat statement of what Judge Alito, at least at one time, believed the Constitution, not his personal belief, said. That is not a personal view such as stating you are pro-choice or pro-life. It is decidedly a legal view which involved judicial philosophy and judicial reasoning. If confirmed, his belief about what the Constitution does and does not protect will have the power through his decisions to become the law of the land.

Because Judge Alito so firmly and specifically stated his personal and legal opinion about this controversial issue while in pursuit of a lesser position, he has an obligation to answer questions at his confirmation hearing for the highest judicial job in the land. He cannot, as previous nominees have done, say, I refuse to answer. Have his views changed? Is his mind made up? Was he exaggerating for a potential employer? And if he was, how should

we view what he says to us in the committee as he seeks an even higher position? Is he bent on advancing a particular ideological position?

Past nominees have said they could not discuss these issues for fear of creating a perception of bias. Here, unfortunately, the application itself creates the perception of bias and it will be essential for Judge Alito to address the issue head-on.

In conclusion, every Supreme Court nominee has a high burden. For Judge Alito that burden is triply high: first, because he seems to have been picked to placate the extreme rightwing; second, because of his past statements suggesting a closed mind on certain controversial issues; and, finally, because he is replacing Justice O'Connor, for 25 years the pivotal swing seat on a divided Supreme Court.

I hope Judge Alito will be able to meet that burden.

I yield the floor.

Mr. HATCH. Mr. President, I rise to address the nomination of Samuel Alito to be an Associate Justice of the Supreme Court. Judicial nominees should be judged on their qualifications and their judicial philosophy. On the first point, there is no question that Judge Alito is qualified to sit on the Supreme Court of the United States.

In 1990, when the first President Bush nominated Judge Alito to the U.S. Court of Appeals for the Third Circuit, the American Bar Association unanimously gave him its highest "well qualified" rating. This body confirmed him at that time without dissent.

Regarding judicial philosophy, the most important principle is that judges are not politicians. When we hear someone talk only about the results of a judge's decisions, chances are they are applying a political rather than a judicial standard. This is what we heard today on this floor from my Democratic colleagues.

The description of Judge Alito's record by the Senator from New York, Mr. SCHUMER, was all about results. This is how he put it: In case after case, Judge Alito seems to find a way to rule on the side of business over the consumer; on the side of employer over employee; and often against civil rights, against workers' rights, against women's rights.

It would be tough to present a more distorted picture of what judges actually do. Judges do not decide for or against the rights of groups. Judges do not take the side of one group against another. To suggest, as the Senator from New York did, that Judge Alito is actually biased toward certain parties, that he intends to take a particular side, that he, in the Senator's words, seems to find a way to rule a certain way, is just beyond the pale.

Perhaps my Democratic colleagues could provide a list of the side that judges are supposed to take in this case or that. Perhaps they could give us a rundown of the groups whose rights judges are supposed to favor, regardless

of the facts. It might be something like a rate card or perhaps just a big piece of litmus paper. That would make this confirmation process a whole lot easier for all of us. Nominees could just check boxes and get a confirmation score.

Are you for big business or are you for the little guy? Are you for this or are you for that? The facts do not make any difference, no matter how right the big guy might be or the little guy might be.

Politicians take sides. Politicians promote political interests. Politicians pursue agendas. Judges are not politicians. Judges settle legal disputes between specific parties by applying the law to specific facts. Without talking about the facts and the law, it is impossible to properly evaluate judicial decisions.

It is not enough, as we heard this morning, to toss in words like "troubling" since all that means is that the person using that label does not like the result. It is not enough to observe that Judge Alito was alone in dissent or that the Supreme Court declined to review a particular decision. Those would be marks of distinction of judicial courage if the Senator from New York liked the result.

If such results-oriented litmus tests are appropriate, Judge Alito's long record contains results to fit every political taste.

Judge Alito has voted on the pro-choice side in some of his abortion-related cases. He has voted for civil rights plaintiffs, against prosecutors, and even in favor of death row inmates desiring to file habeas corpus petitions. Imagine that. Judge Alito will likely get no credit from my liberal friends for these votes, but he should.

As I said, we must apply a judicial rather than a political standard to evaluate a judicial rather than a political record.

This morning, the minority leader, Senator REID, also spoke about the Alito nomination. I would like to respond to a few of his points. First, he said the nomination was not, as he put it, "the product of consultation with Senate Democrats as envisioned by the Founding Fathers."

America's Founders envisioned no such thing but actually advised against it. The Founders gave the power to nominate and appoint exclusively to the President. The Senate's role is to advise the President whether he should appoint someone he has already nominated, expressing that advice through an up-or-down vote.

Some of my Democratic colleagues are fond of taking jabs at President Bush by saying that this is the third nomination to replace Justice Sandra Day O'Connor. If that is true, then he should get credit for consulting with more than 70 Senators, more than any President has ever done regarding a Supreme Court nominee.

The idea that consultations for the same position must begin all over again when the first nominee is appointed elsewhere is absurd.

I hope this will be a fair, honest, and thorough process that results in an up-or-down confirmation vote. I applaud the minority leader for saying this morning that every judicial nominee is entitled to an up-or-down vote. In the 108th Congress, of course, he had a different attitude, leading filibusters against 10 different appeals court nominees, along with Senator Daschle.

While the minority leader, this morning, lamented the fact that Judge Alito is not Hispanic, one of the filibusters he led in 2003 targeted Miguel Estrada, a highly qualified nominee to the Federal appeals bench. Perhaps race only matters some of the time.

Until Democratic Senators began filibustering judicial nominees in 2003 with partisan, leader-led filibusters, it has been Senate tradition that judicial nominees reaching the floor received up-or-down votes. While I hope the minority leader will help us return to that tradition, and I believe he may, he may have a bit of a challenge on his hands.

Although the minority leader claimed this morning that not a single Democrat has talked about filibustering the Alito nomination, the Senator from California, Mrs. BOXER, told the Associated Press on November 1 that "the filibuster is on the table."

According to the Baltimore Sun on November 2, the Senator from Iowa, Mr. HARKIN, said "I believe Democrats will filibuster this nominee."

The Associated Press reported on November 3 that Democrats have, in fact, raised the possibility of a filibuster. Yes, Democrats are already talking filibuster, and I hope the minority leader meant what he said this morning and urges them to take a deep breath.

I urge my colleagues, the media, and the American people to apply the right standard to this and to all judicial nominations. It must be a judicial rather than a political standard when we decide these matters. It must examine the law and the facts of cases as well as the results, and it must be fair to this highly qualified and honorable nominee.

I have been kind of tough on my colleagues on the other side, but I believe everything I said is true. I believe it is time to get rid of the populism and start talking about what we can do to help America. One of the best things we can do is to confirm Judge Alito to the U.S. Supreme Court.

I yield the floor.

Mr. KENNEDY. Mr. President, many Members have serious reservations about the Alito nomination to the Supreme Court.

It is obvious that Judge Alito was chosen because the right wing of the Republican Party felt Harriet Miers did not meet their litmus test for Federal judges, a test of right-wing philosophy that was laid out in great detail by the Justice Department itself when Ed Meese was Attorney General in the 1980s. The right wing flexed its muscle and rebelled even when George Bush

said, in effect: Trust me—she will be your kind of justice.

Well before Judge Alito was nominated, these core supporters of the President were aware of the President's dwindling public support, and knew he would be highly unlikely to cross them again. They were certain that Judge Alito passed their ideological test. They embraced him immediately, then moved in lock step with the White House to support and defend him.

The reasons for that immediate endorsement by the right are obvious. On key issues of equal rights, fairness, and access to justice, he has repeatedly found ways to keep people from vindicating their rights, obtaining remedies, and protecting themselves from government invasions of their privacy.

He supported a warrantless strip search of a 10-year-old girl, the elimination of black jurors despite a black defendant's objection, the dismissal of a case against an industrial polluter who had 150 water quality violations, the power of a state to intrude in personal medical decisions of women in Pennsylvania, and people who wanted to make machine guns in their homes.

On Tuesday, the Reagan Presidential Library made public his 1985 application for a promotion in the Meese Justice Department, in which he pledged his allegiance to the right wing views that Attorney General Meese stood for. In the application, he stated, "I am and always have been . . . an adherent to" these views.

He traced his views back to Barry Goldwater's 1964 campaign, which featured strong opposition to civil rights at a time when the growing national support for such rights had just accomplished the landmark Civil Rights Acts of 1964 banning racial discrimination in public accommodations.

As far back as college, he said, his view of constitutional law had been "motivated in large part by disagreement with the Warren Court decisions," particularly the historic decisions supporting basic fairness in the criminal justice system, separation of church and state, and fair districting for legislative elections. In short, for all 20 years of his prior political activity, he had been a dedicated right wing advocate, especially on the major issues that led to the posting of the "Impeach Earl Warren" billboards on highways at the time.

We have also learned of his failure to recuse himself in a case involving the Vanguard mutual funds, in which he had a personal investment of hundreds of thousands of dollars.

A different justification was tried out each time his participation was challenged in recent weeks, even though he had specifically pledged to the Senate Judiciary Committee not to sit on "any cases involving the Vanguard companies," regardless of whether he was technically required to recuse himself.

It appears that either the Judge or the White House is desperately running

new explanations up the flagpole to see if anyone salutes them.

When I saw him yesterday, he dismissed the blunt ideological commitments in his application to the Meese Justice Department as simply part of the job application process, and told me, in essence, that it shouldn't be taken seriously. But now he is applying for a job on the Supreme Court.

Should we take his assurances about ignoring ideology as a judge any more seriously now?

The American people have a right to better answers about the record of any nominee to the Nation's highest Court. Certainly, in the hearings to come, Senators will learn a great deal more about whether Judge Alito has the basic commitment to core constitutional rights essential to our Nation, and I look forward to those hearings.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there any further morning business? If not, morning business is closed.

#### PENSION SECURITY AND TRANSPARENCY ACT OF 2005

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 1783 which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1783) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the managers' amendment at the desk is agreed to. The bill will be considered original text for further amendment.

The amendment (No. 2581) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. ENZI. Mr. President, this is a very exciting day. We are here to the debate on the pensions bill. Every day hard-working Americans go to their jobs, they are confident we here in Washington are looking out for them and doing everything we can to assure that they will be able to retire some day and live the life they have always dreamed about. For our Nation's older workers and those who have already retired, there are few things more important to them than the health of their pension plan and the protection it provides. It involves younger workers, too.

I am glad we are at this point. This may be one of the biggest bills that has ever been covered with as little debate as we will have today. Part of the reason for that is how detailed it is and how many moving parts there are. I congratulate all of the people who have worked on this bill and worked cooperatively, both sides of the aisle. We have even had some conversations with

the other end of the building in order to be able to get it to this point at this time.

I particularly have to commend Senator KENNEDY and his staff and my staff. August is normally a time when we are at recess and traveling our States, as I was and Senator KENNEDY was. It is normally a time our staff can catch up on things. It was not. It was a time they were heavily involved in negotiations to come up with the best possible package for protecting the retirement of the people of this country, and they worked virtually around the clock during the entire month of August. Senator KENNEDY and I were on the phone several times working out some of the big issues and trying to keep the focus on the direction it needed to go.

I also have to specifically congratulate Senator ISAKSON. He has been our coordinator with airlines on this whole thing, and had the airlines not had a crisis, I am not sure we would be here today debating pensions. It was enough of a focal point, enough of an impetus that it got us on the track of solving all of the pension issues, in all of the aspects, and I think we have a very complete reform package here.

Of course, I would be remiss if I did not mention Senator LOTT and Senator COLEMAN, who also were strong advocates on getting a solution for airlines so we would stop seeing the airlines go into bankruptcy over their pension problem. We have a team of them here today to add one more amendment that will make sure we will have airlines and to make sure that airline employees will have a solvent retirement package.

I also have to thank Senator DEWINE and Senator MIKULSKI, the chairman and ranking member of the Subcommittee on Pensions on Health, Education, Labor and Pensions. They held a number of hearings that set up the data so we would actually have information on which to base this pension reform. They have done a tremendous job, not just with the committee but also representing particularly people in manufacturing across this country who also have some very special problems at this point in time.

I would also mention Senators Stabenow and Senator LEVIN, who have a majority of those manufacturing workers. In fact, they probably represent more manufacturing workers than there are people in the whole State of Wyoming. But the team of people worked together and put together a bill for the Health, Education, Labor and Pensions Committee. Senator GRASSLEY and I, and the members of the Budget Committee, had an amendment in the budget bill that required that the HELP Committee and the Finance Committee merge a bill. I have to congratulate Senator GRASSLEY and Senator BAUCUS for their tremendous work with the Finance Committee to put together a separate bill that covered all the jurisdictional

areas of the Finance Committee, and then their effort with us to merge a bill, which is the bill that is here today.

I have to tell you there were a lot of people betting that, first, neither committee would be able to report a bill out of committee and, secondly, that we would never be able to merge the two bills. It has a lot to do with Senator BAUCUS and Senator GRASSLEY and their staffs being extremely involved and working again in this detailed, "many moving parts" bill. That is the reason we are here today and have a rather comprehensive bill, and it is one that people have been scrutinizing and working on through all of the months of this year.

I think it is a tribute to all of the people who have worked on it that we have limited debate on S. 1783. Only two amendments are being offered, and then we will have a final vote. That is a lot of agreement for this body of 100 people who usually have a lot of disagreement.

I have some other comments, but I will make them later and allow people to get on with describing the actual workings of this bill to the point where we can do a final vote.

I yield to my neighbor from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, first, I thank my colleague, Senator ENZI from Wyoming, the chairman of the HELP Committee. As he has indicated, his committee, along with Senator KENNEDY, the ranking member of that committee, Senator GRASSLEY, chairman of the Finance Committee, and myself, the four of us worked together to be where we are today. Clearly we are where we are today because a lot of employees, a lot of retirees are very worried about their pension benefits. The essential way to help address that situation is to make sure these plans are more fully funded so as the promise is made, the promise is kept and, second, to make sure the backstop of the PBGC is also there when companies facing incredible pressures worldwide feel they have to no longer live up to their pension obligations and those obligations are passed on to the PBGC.

It is worldwide competitive pressures that big American companies and smaller American companies are facing as well as the Enron collapse which has forced us to take a good, hard look at this to try to find some good solutions. I thank Senator ENZI, Senator GRASSLEY, and Senator KENNEDY for their very good work.

It is important to say a little bit about this bill so Americans know what we are doing today. Millions of workers clearly have worked very hard over their lifetime. American workers, when they work, feel they are playing by the rules. They want to play by the rules and they want to do what is right. This bill, frankly, is about making sure that the retirement benefits