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.

Ms. 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 tirelessly on 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.

USA PATRIOT AND TERRORISM PREVENTION REAUTHORIZATION ACT OF 2005—CONFERENCE REPORT—Continued

Mr. LEAHY. 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 is 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 stepped 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 we offered 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 the chairman so clearly spoke to 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 I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Vermont.

Mr. LEAHY. Mr. President, we have only had 2½ hours of debate on this major matter. 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, America 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 oversights. 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 new 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 prime 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 whole story? And, three, who 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.

We all agree on the need for law enforcement and intelligence officers to have strong powers to investigate terrorism, to prevent future attacks, and 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 counterterrorism 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

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—what 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 it took 2 years—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 committee 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 don't doubt that the FBI is trying to do a good job—but how many mistakes does it take to count as an abuse?

This administration tells us to disregard such mistakes 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 with his family 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. In 2002, 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. Your local 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—even if 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 sunset provision for 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. Under the conference report, banks, phone companies, and libraries challenging these authorities will have to overcome an even higher threshold in court, and companies may have to turn over records even where there is not even an individualized suspicion of terrorism.

The Federal Government should focus on whether the country is doing enough to protect citizens from another terrorist attack, and is providing adequate safeguards to protect fundamental civil liberties.

What Americans want and deserve is responsible legislation. Our Senate bill included the necessary assistance for law enforcement, while maintaining fundamental protections in accord with the Bill of Rights. As a result, it received unanimous approval of the entire Senate.

At the first and only meeting of this conference, I urged my colleagues to support the Senate bill, keeping in mind the recommendations of the bipartisan 9/11 Commission, which made clear that the executive branch has the burden of proof to justify why a particular governmental power should be retained—and Congress has the responsibility to see that adequate guidelines and oversight are made available.

On the two most contentious 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.

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

Snooping on library computers is no substitute for strong and effective steps to prevent terrorist attacks.

With this conference report, some harsh provisions were deleted, but other abusive provisions were added. Debate about extraneous provisions took priority over improvements in the core provisions. It appears that the PATRIOT Act can't get better without also getting worse.

The administration wants to get this bill done—but the American people want it done right.

I urge my colleagues to join in supporting our bipartisan bill to extend the deadline for the expiring provisions for another 90 days. With a March 31 deadline, we can deal responsibly with the major issues still on the table. Serious concerns about the standards and oversight of the most contentious surveillance methods can and must be addressed.

Our Senate bill contained fundamental protections in accord with the Bill of Rights. It passed with our unanimous support, and it is disappointing that this conference report fails to do the same.

We need an effective strategy to win the war on terror, a strategy that strengthens terrorism laws that work, corrects laws and policies that don't, and protects the rights and privacy of all law-abiding Americans.

The entire country is watching to see how we strike the balance between national security and the Constitution. We are very close to agreement on this bill. Let's take the necessary time to reach a bipartisan consensus that protects both our security and our liberty, and restores the public trust in Congress as an institution.

Mr. CORNYN. Mr. President, I come to the Chamber today to speak about

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 braced 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 demonstrably hostile to 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 terrorist abroad 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. While this is not always easy, we do so with the best interests of our Nation in mind—and we do so in a manner that is both honest and in good faith. This conference report strikes a careful balance by both preserving the provisions that have made America safer since 9/11 and increasing congressional and judicial oversight—which should alleviate the concerns of those who believe the law enforcement tools endanger civil liberties.

Many who oppose this agreement do so because of concerns that law enforcement will abuse these tools. While a legitimate concern, it simply has not been borne out by facts. First, the reports issued by the Department of Justice's independent inspector general have repeatedly found no systematic abuses of any of the provisions of Patriot. 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. There are obviously deep 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, negotiations and compromises took place to reach an agreement that achieves the dual goals of continuing these critical authorities and enhancing congressional and judicial oversight.

Some have proposed that we pass a 3-month extension to continue working on the reauthorization. I oppose that. The Congress placed a December 31, 2005, deadline for a reason. The President, the Attorney General and the House support this agreement. We should vote on this agreement, and I intend to vote for cloture and will support the conference report.

However, if we are searching for alternatives, I propose the Senate take up and immediately pass legislation that I cosponsored last Congress which would strike all of the sunsets contained in the PATRIOT Act. This would eliminate the deadline we face, those in the House and those in the Senate can offer what they consider improving legislation and work to move it through the regular legislative process. That way, none of the vital authorities will be allowed to lapse and any changes that majority of the Congress supports will be implemented through the regular order.

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 that these sunsets are important to the negotiations, I choose to support the sunsets, 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.

Senator SPECTER and others on the conference attempted to address civil liberty concerns in many ways, 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 had, the conference report requires the Government to now give notice of any search under this provision within 30 days of its execution, unless the facts justify a later date certain.

Although the 30-day period is a few weeks longer than the 7-day time 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 notice 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 of these authorities, one audit covering 2002 through 2004; another covering 2005–2006. And, in recognition of concerns about NSLs, the conference report adds a new ''sunshine'' provision. Namely, it requires annual public reporting on NSLs, including the aggregate ''number of requests made by the Department of Justice.''

Additionally, this report gives the Senate Judiciary Committees access to significant FISA reporting currently provided to the Intelligence Committee. It also includes a provision cosponsored by Senators SPECTER and LEAHY requiring that rules and procedures of the FISA court be supplied to

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 finally, it retains 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 Narco-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 way to threaten 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 rival drug 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 criminal 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 a 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 version would further tilt 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 Americans and others inside 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 reuire deleting information on American citizens from a counterterrorism database within 3 months if they pose no security threats.

Government agencies are not following important rules and procedures 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 privacy laws 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 coduct ''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 342 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 our 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 ensure 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 modest 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.

One example of where the current version of the bill falls short is 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 by 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 bill, 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 a 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 order. And to be clear, 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 prove.

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 strongly 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 flawed form. I agree with 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 commonsense 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 Combat Meth Act because it 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 Appropriation bill this year, and I was extremely disappointed that it wasn't included in the final conference report. Though Senator LEAHY requested that the Combat Methamphetamine Epidemic Act be presented to the Senate as a freestanding bill, it is unfortunately included at the end of the PATRIOT Act.

So much has been said on the PATRIOT Act's civil liberty provisions, yet little has been said about the very important section of the conference report, the Combat Meth Act.

The methamphetamine problem in this country needs attention. Methamphetamine abuse has increased dramatically in recent years, reaching all comers of the United States. It is a very large problem in the State of Montana.

That is why I was pleased when the Senate gave methamphetamine the attention it deserved. And we worked together to produce a bipartisan bill.

The Senate Combat Meth Act provided greater regulations for methamphetamine, just what law enforcement officers asked us for. The Senate bill focused on regulation, monitoring, treatment, and prevention.

The conference report does not provide the same provisions we negotiated in the Senate for the Combat Meth Act. Though I support the ideas behind many sections of the conference report, including the restrictions on the allowable quantity purchasable, the requirement for over-the-counter medicines containing pseudoephedrine to be sold by a licensed pharmacist, and the establishment of a log book for these products, I still do not believe we have done enough to solve the methamphetamine problem.

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

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. Law enforcement officers depend on us. Methamphetamine addicts depend on us. And children of methamphetamine users depend on us to work together to bring this piece of legislation to the floor again.

I will work with my colleagues to make sure methamphetamine is a high priority issue when we come back after the New Year.

Mrs. CLINTON. Mr. President, in the wake of the September 11 terrorist attacks, this body came together—Republicans and Democrats alike—around the shared goal of preventing a similar tragedy from ever occurring again on our soil. Toward this end, Congress worked in a bipartisan manner to pass the provisions of the USA PATRIOT Act, legislation that expanded many of our laws, providing our Government and law enforcement with the tools needed to ably combat these threats. We understood then, as we do now, that these tools are important in our fight against terrorism. And because there is no greater responsibility that we bear as Members of this body than ensuring the safety of our citizens, I voted in favor of the USA PATRIOT Act in 2001 and supported 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 constitutionally guaranteed rights and liberties. And so 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 securing 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 bill like the one agreed to in 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, the Government merely needs 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 parties—business, libraries, hospitals, and the like—who are recipients of these orders 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, ones that would not 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 retains 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 FISA order any express right at all 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. 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 records include financial, library, credit card, telephone, Internet service provider, and e-mail records as well as customer transaction information. 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 get 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—protections 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 providing notice to the owner of the residence or business for a month or longer after the search. And the conference report contains a provision that seriously curtails the habeas corpus rights of prisoners to challenge their convictions in court. This provision was in neither the House nor Senate bills, and there has been practically no debate on the merits of this change.

Apart from the serious civil liberties concerns, perhaps the greatest shortcoming 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 safe, 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 living under the greatest threat 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 congressionally 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 far too 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 sunsetting 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

the law on a temporary basis, giving those working on the bill the opportunity to craft a compromise that both safeguards our liberty and gives our law enforcement the capabilities they need to effectively combat and investigate terrorist threats. I am also hopeful that during this 3-month extension, those working on the reauthorization bill will heed the call of the former 9/11 Commission and include provisions that mandate the distribution of homeland security funds on the basis of threat and risk.

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 President signed an order in 2002 that authorized the National Security Agency to conduct domestic spying on U.S. citizens and foreign nationals in the United States, despite legal prohibitions against such activity. Likewise, 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. 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. This conference report is invasive and vague. It takes focus off of preventing terrorism instead permitting government fishing expeditions that invade the privacy of all Americans.

My vote against cloture should not be seen as a parliamentary 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 so that the problems that brought 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 PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, let me agree with Senators who have spoken out very sharply in opposition to the disclosures in the press this morning about ''President Bush Lets U.S. Spy on Callers Without Courts.'' That is wrong, clearly and categorically wrong.

If you read some of the fine print, there are some indications that there were some level heads within the executive branch. If you get down into the fine print—it takes a lot of reading beyond page 1 and the other headlines—this appears:

> [I]n mid-2004, concerns about the program expressed by national security officials, government lawyers and a judge prompted the Bush administration to suspend elements of the program and revamp it.

Later the article says:

> Several national security officials say the powers granted the N.S.A. by President Bush go far beyond the expanded counterterrorism powers granted by Congress under the USA PATRIOT Act. . . .

There is no doubt that this is inappropriate. The chief judge of the Foreign Intelligence Surveillance Court stepped in and said: Don't provide this court with any information you got this way to get a warrant. Just don't do it.

So if you read the fine print, there were some parts of the system which were working. But it is inexcusable to have spying on people in the United States without court surveillance in violation of our law, beyond any question. And I can tell you that this will be a matter for oversight by the Judiciary Committee as soon as we can get to it in the new year—a very high priority item.

I might add, by way of addendum, that on a morning when we come to have a vote on the PATRIOT Act, it is a little disconcerting to see these headlines. It is not very good publicity with a broad brush as to what the Government is doing. The editorials are frequently published on the day the Senate is to vote. Somebody suggested that the news story, which had been held back by more than a year, was timed as well. I certainly would not want to suggest that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania yields back.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I yield 2 minutes to the distinguished Senator from New Hampshire, Mr. SUNUNU.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 3 minutes.

Mr. SUNUNU. Thank you, Mr. President.

As was indicated by Senator CRAIG, this is not a last-minute effort to derail a piece of legislation. These are concerns that began with the introduction of the SAFE Act nearly 2 years ago and our goal was and still is to make improvements to the PATRIOT Act, and to ensure that it better protects civil liberties without undermining law enforcement's ability to do their job in terrorist investigations.

I met with the Attorney General after he was confirmed. I know Senator CRAIG and others did the same thing. I spoke to senior White House staff not weeks, or months, but as long as a year ago and underscored the importance of sitting down and working through the legislation. I made very specific recommendations in just a few key areas of the PATRIOT Act and indicated that we could come to an agreement on a strong bipartisan bill.

I heard effectively nothing in response to that request. Moreover, even after all of our requests, no substantive material has been provided to argue how our specific changes would weaken or undermine law enforcement's ability to do its job in pursuing terrorists. A standard should be to put in place which will protect civil liberties no matter who holds the power in the executive, the legislative or the judicial branches.

So we are here today with a conference report that has many shortcomings, including a 215 standard that is too broad and could potentially be abused. There is no reason why we cannot clarify it to assure a connection to a specific spy or a terrorist. The conference report also has no meaningful judicial review of national security letters. 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 that evidence is unclassified. 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 our ability to fight terrorism. 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 in the pursuit of 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 calender 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 foreign intelligence investigations. 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 fails to narrow 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 that doctor's 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 have access to some organization in the Middle East that is involved in a terrorist organization. Everybody's library records would be swept into that net.

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, there had to be a showing that the records sought were relevant and either pertained to 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 individual in contact with 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 ''John Doe'' summons for the production of certain taxpayer records.

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

> Does not identify the person with respect to whose liability the summons is issued may be served only after a court proceeding in which the Secretary establishes that—
>
> (1) the summons relates to the investigation of a particular person or ascertainable group or class of persons,
>
> (2) there is a reasonable basis for believing that such person or group or class of persons may fail or may have failed to comply with any provision of any internal revenue law, and
>
> (3) the information sought to be obtained from the examination of the records or testimony (and the identity of the person or persons with respect to whose liability the summons is issued) is not readily available from other sources.

Some kind of narrowing language should be included in the Patriot Act for 215 orders. Without it, the PATRIOT Act authorizes the rankest kind of fishing expedition.

In addition to the problem with the standard for issuing 215 order, a gag order can be imposed by the FBI to prevent the library from telling people that their records were turned over. That means innocent Americans might never know that the government was looking into their reading habits or medical records. Further, while some argue that the recipient of a gag order could challenge that gag order in court, the conference report is not at all clear on this point. During staff negotiations, language that would have clarified the right to challenge a gag order was rejected. The idea of a permanent, unreviewable restraint on the First Amendment rights of American citizens is deeply troubling.

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. The government can issue an NSL without going to court. And, like 215 court orders, NSLs can be issued without identifying anyone in particular that the government suspects is a terrorist or spy. Again, the government does not have to show any connection between the records sought and a person who the government thinks is a terrorist or spy. And like 215 orders, the government can impose a gag order on the recipient of an NSL.

While the conference report does permit recipients of NSLs to challenge gag orders in court, it severely constrains the court's discretion to review the gag order, potentially rendering the review meaningless. Under the conference report, if the Attorney General or another specified senior official certifies that disclosure may endanger national security or harm diplomatic relations, the court may modify or set it aside it only if it finds ''bad faith'' on behalf of the government.

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 Chairmen of the House 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 their security. 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,
Washington, DC, December 7, 2005.

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 said when the Senate passed the bill, the 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 fails to achieve that goal. Some of my concerns are described below.

Standard for 215 court orders—The bill passed by the Senate achieved 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 of American citizens and sensitive medical records. While technical changes to the Senate-passed language may be warranted, I am concerned that the draft conference report eliminates the nexus required in the Senate-passed bill between the records sought and the target of an investigation. I believe that the relevance standard, which 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 a 215 court order 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 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 life or physical 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 acquired with an NSL 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 though the issuance of an NSL.

Thank you for your consideration.

Sincerely,

CARL LEVIN.

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.

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 wiretapping 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 people that this body 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 use the power 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, no one in this 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 to suggest 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 or threats. Now is the time to do the right thing for the American people and for the constitutional rights and freedoms that make our country great.

I am very proud to be 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 give the Government the tools it 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 needs 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 Democrats 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 eavesdrop on American citizens without a warrant. These reports suggest that the phone calls and e-mails of hundreds, perhaps even thousands, of Americans have been monitored over the past 3 years without the approval of a judge or even the approval of the secret FISA court. These allegations, if true, are deeply troubling. If we needed a wake-up call about the need for adequate civil liberties 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 legislation to extend the current PATRIOT Act for 3 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 Senator from Pennsylvania.

Mr. SPECTER. Mr. President, permit me to interject very briefly just to correct 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 suggest they are doing it deliberately, but they don't know the bill.

The argument has been made that the recipient of a national security letter 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 required to inform the Director of the FBI or such designee that the person intends to consult an attorney to obtain legal advice or legal assistance.

The representation is made here again and again that in section 215, there does not have to be a connection to a terrorism investigation or someone suspected of being a terrorist. The conference report does add a provision to the three criteria for foreign power, but the court has to make a determination on a factual showing that there is a terrorism investigation that does involve foreigners and that records are sought from another person, albeit not identified with one of the three criteria, in order to carry on the investigation.

Again and again, the essence of the protection of civil rights traditionally has been that you interpose an impartial 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 simply not the case. The recipient goes to a lawyer who can challenge the national security letter in court and have it quashed, eliminated, dispensed with, on a showing that it is unreasonable.

If you get to the national security issue, then it is different with respect to a bad-faith showing. There is judicial review beforehand on the very broad term of being unreasonable, which is a hallmark of American law in auto accident cases and antitrust cases every time you turn around. The reasonable 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 Senator from Arizona is recognized.

Mr. KYL. Mr. President, I compliment the Senator from Pennsylvania on a job exceedingly well done in trying to find a way that we can reauthorize the PATRIOT Act, with very emotional feelings on all sides of the issue and working through very difficult compromises, especially after the conference committee 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 product.

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 concede 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 Representatives with over I think it was 44 Democrats in the House of Representatives voting for reauthorization of the PATRIOT Act, it seems to me that the Senate would do well to also try to act here in a more bipartisan way and not to have a partisan vote.

We need to reauthorize the PATRIOT Act. It is the tool for our law enforcement and intelligence agencies to help protect us from terrorists. Just as we send our men and women into battle with good training and equipment, we have to do the same thing with law enforcement and our intelligence agencies. If we deny them the key tool, the PATRIOT Act, they are not going to be able to do their job to protect us. And there is no more time to stretch this out with maybes or let's negotiate more, and so on. This act will expire on December 31. My colleagues either vote yes to reauthorize it or no, not to reauthorize it. There is no middle ground.

I will say this as directly and seriously as I can. I doubt there is anyone in this Chamber today who would argue with the proposition that we needed to tear down the wall between the law enforcement and intelligence agencies. The PATRIOT Act does that. The wall goes right back up again on January 1. Is that what we want? God help us if there is some kind of terrorist attack when we are not protected by the PATRIOT Act and the act could have enabled our law enforcement or our intelligence people to help protect us. We will have to answer for that if we don't vote to extend the PATRIOT Act.

I implore my colleagues to put partisanship aside, to consider the fact that not everybody can get 100 percent of what they want, to recognize that the House of Representatives has made a tremendous concession to us, whether you talk about the period of time, the section 215 concessions, and, of course, the sunset concessions.

I found it very difficult myself to sign the conference report because, frankly, we had made it so difficult for law enforcement to do its job with some of the compromises that were made, but they were made in order to achieve a consensus on which we could vote. Now we find that consensus in jeopardy.

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 agencies to protect us from terrorists. Is that what you want? I daresay the American people will hold us accountable if anything happens and we are not able to reauthorize the PATRIOT Act.

The PRESIDING OFFICER. The Senator 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 Senate. 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 conference report. By the way, I thank him for signing the conference report. Without his signature, we could not have filed it.

As to the other provisions beside the wall, if the PATRIOT Act lapses, and there is none, what will the effect be on the fight against terrorism?

Mr. KYL. Mr. President, I thank the chairman for his remarks. We know of two stories that the 9/11 Commission wrote following the investigation into what went wrong. What they found was that there was not only the wall that separated our intelligence and law enforcement officials from being able to speak to each other, but other problems with the law that we corrected with the PATRIOT Act. Had the PATRIOT Act been in effect prior to 9/11, it is possible that not all of or even part 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 Hazmi 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—well, one agency with the Government 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 but had no idea how important it was 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 corrected the errors 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 mandatory quorum 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 might well have prevented the terrorist attacks. That could have been done with or without the PATRIOT Act.

All of us rallied behind the administration, even though the attack occurred during this administration 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.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

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 colleague from Pennsylvania. This is a significant improvement over present law. It is a significant improvement over the House bill and comes a lot closer to the Senate bill than many are giving it credit for. On the other hand, even before last night, I had real doubts that we did not correct the formula in terms 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 whit 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: there ought to be discussion, there ought to be debate. Whenever there is discussion and debate, we usually come out right, and that is true on the wiretap law. When J. Edgar Hoover and other leaders of the FBI had unchecked power, there were abuses. We put in an independent arbiter, a judge. We put in a standard, probable cause, and neither the prosecutor community nor the defense community has complained.

So then why, with the flick of a wrist, did this administration ignore those laws and listen in on conversations of hundreds of people when it would have been so easy to obey the law? Today's revelation makes it crystal clear that we have to be very careful, and Senator LEAHY's suggestion that we renew the present law for 3 months and come to an agreement like we did in the Senate that all can live with is eminently sensible.

One final point. My good friend from Arizona and I respect the sincerity on this issue. We have written parts of this law together, particularly the lone wolf provision. But he says that we will have no law if we do not vote for cloture.

I ask unanimous consent for an additional 30 seconds.

Mr. LEAHY. Yes, with 30 given on the other side.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator is recognized for 30 minutes.

Mr. SCHUMER. Thirty minutes, I will take that.

The PRESIDING OFFICER. The Chair is out of order. The Senator is recognized for 30 seconds.

Mr. SCHUMER. I thank the chair for his generosity.

If cloture is not invoked and the opportunity to renew this law for 3 months or 6 months comes before us, and the President vetoes it, it will be crystal clear that he is putting politics above safety because the bottom line is, the present law is, if anything, tougher than the law that is on the books.

Let us not invoke the threat that 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.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, it has been claimed that somehow the so-called wall between law enforcement and intelligence would go back up if the PATRIOT Act expires. That is not true. Even if the relevant change made by the PATRIOT Act expired, 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 expires. It does not. It was not legally required in the first place.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes 48 seconds.

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

The PRESIDING OFFICER. The Senator from Illinois is recognized.

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 did, 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 a bipartisan 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, an interesting coalition when one looks at 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 that has 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, 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 violates the long-standing 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 cloture, 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 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 majority leader.

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, and that is the wrong strategy in Iraq, and it 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, more congressional oversight, more judicial review. The same people who criticize the lack of civil liberties in current law are arguing for a 3-month extension. That makes no sense.

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.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Conference Report to accompany H.R. 3199: The U.S. PATRIOT Terrorism Prevention Reauthorization Act of 2005:

Chuck Hagel, Jon Kyl, John McCain, Richard Burr, Conrad Burns, Pat Roberts, John Ensign, James Talent, C.S. Bond, Johnny Isakson, Wayne Allard, Norm Coleman, Kay Bailey Hutchison, Mel Martinez, John Thune, Jim DeMint, Jeff Sessions, Bill Frist, Arlen Specter.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 3199, the U.S. PATRIOT Terrorism Prevention Reauthorization Act of 2005, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 358 Leg.]

YEAS—52

Alexander	DeWine	McConnell
Allard	Dole	Nelson (NE)
Allen	Domenici	Roberts
Bennett	Ensign	Santorum
Bond	Enzi	Sessions
Brownback	Graham	Shelby
Bunning	Grassley	Smith
Burns	Gregg	Snowe
Burr	Hatch	Specter
Chafee	Hutchison	Stevens
Chambliss	Inhofe	Talent
Coburn	Isakson	Thomas
Cochran	Johnson	Thune
Coleman	Kyl	Vitter
Collins	Lott	Voinovich
Cornyn	Lugar	Warner
Crapo	Martinez	
DeMint	McCain	

NAYS—47

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murkowski
Bayh	Frist	Murray
Biden	Hagel	Nelson (FL)
Bingaman	Harkin	Obama
Boxer	Inouye	Pryor
Byrd	Jeffords	Reed
Cantwell	Kennedy	Reid
Carper	Kerry	Rockefeller
Clinton	Kohl	Salazar
Conrad	Landrieu	Sarbanes
Corzine	Lautenberg	Schumer
Craig	Leahy	Stabenow
Dayton	Levin	Sununu
Dorgan	Lieberman	Wyden
Durbin	Lincoln	

NOT VOTING—1

Dodd

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 senior 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 serve in this body, actually 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—and what we should have 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 with those things that 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 who voted against cloture, 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. I supported that bipartisan, 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 the PATRIOT Act 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 showing that those records are relevant to an authorized intelligence investigation. That is it. Relevance is all that is required. The Senate bill, on the other hand would have established a three part test to determine whether the records have some connection to a 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 underlying 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 reports 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 notify the target 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 whatever legislation we 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 USA PATRIOT Act. That is 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 weighty constitutional and civil liberty issues. With 90 percent of 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 impending adjournment of this 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 acts of 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 untested 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 powers.

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 searches, 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. S. 1389, 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 begin discussing their very different visions of the reauthorization. Unfortunately, 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 debate and resolve 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 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, instead of the undefined delay that is currently permitted under the PATRIOT 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 personal information the right 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 violating 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, business record orders, and ''lone wolf'' surveillance.

Unlike the Senate bill, the House version proposed to permanently reauthorize all but two of the expiring provisions—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 enforcement powers in the PATRIOT Act.

Unfortunately, the conference report has removed or weakened some of the most important limits on enhanced investigative powers in the Senate bill, particularly those relating to FISA orders for library, medical, and other types of business records about people, National Security Letters, and notification of sneak-and-peek searches. We need to reauthorize the expiring provisions 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 discuss some important civil liberties issues that the conference report implicates. For this reason, I have cosponsored Senator SUNUNU's bill, S. 2082, which would extend the expiring provisions of the PATRIOT Act until March 31, 2006. I believe that 3 months is enough time for us to come back after the holidays and work out the differences between the House and Senate versions of the PATRIOT Act reauthorization. I would encourage all of my colleagues to do the same.

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

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, I rise to express my disappointment with the 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 reauthorization after 4 years and virtually no serious criticism of the workings 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 Committee. Some of us who 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 unanimous vote in the Judiciary Committee—18 to nothing—to report this PATRIOT Act to the floor of the Senate. 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 our conferees. For those who wanted the Senate bill to win in toto, they were not perfectly happy. But as Senator SPECTER has

said, 80 percent of the bill was the Senate bill. Only a few things were given to the House Members out of the differences in the two pieces of legislation. It comes back here to be voted on. It is blocked from an up-or-down vote so it could be passed and made law before it expires at the end of this year.

A tremendous amount of effort and work has been placed into making this a piece of legislation we could all unite behind. We thought we did so. We went to conference, and we came out with a bill that is far more like the Senate bill than the House bill.

As someone who served in law enforcement for many years, I urge my colleagues to look at the language of the legislation. I don't believe there is a single investigative law enforcement technique in this legislation that is inconsistent with what we have been doing for years. The average county attorney in any city and county in America today can issue a subpoena for library records. The average county attorney can get medical records on one basis—is it relevant to an investigation that office is conducting? They don't have to get prior court approval to issue those subpoenas. It is done every day. So there has been confusion. I urge my colleagues to think about it.

With regard to the delayed notice search warrants, this law in not one whit changes the standards for a search warrant. You still have to have all the proof you have to conduct a search of someone's private property or house. You have to have that. It simply says that you could delay notice to the terrorist organization about what is going on. That is law today.

As a Federal prosecutor, I have sought approval of a court to delay the notification of a drug dealer. I saw a story recently about a Mafia investigation in the Northeast. They got a delayed notice warrant under basically American common law. There were no legal standards. Whatever the judge said about how long you would delay in notifying the bad guys is what went on in that case.

This bill for the first time sets forth statutory standards that must be approved. You must prove to the judge that it is important to the safety of the country or important to the safety of enforcing the law that the notification is delayed. So you don't get that automatically just because you ask it; you have to convince a court in advance of that.

The section 215 provisions require FISA court prior judicial approval. They require reports made to the Congress. They allow objections to be raised.

I urge my colleagues to go back and think about the vote you just cast in favor of this bill and review and see if there is anything that occurred in conference that in any way significantly alters or erodes the liberties this country has known and loved and is determined to protect. I urge my colleagues to do that. If they do, I believe they will feel very confident that there is nothing here that goes against what we believe is necessary to preserve the liberties with which we are familiar. Please do that. If you do, I think you will feel a lot better about it.

I would be glad to discuss any particular point you would raise. As we go forward, I hope people will feel comfortable in casting a positive vote for this legislation. It is critical that we not allow it to expire. We need to do this bill while we are here. But to continue to weaken the legislation, as some have asked, for beyond what we agreed to in conference is a mistake. We don't need to continue to weaken it. If we weaken it so much that it is not effective, then it is not a good idea.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

FAREWELL TO THE SENATE

Mr. CORZINE. Mr. President, I would like to give what I think will more than likely be the last speech I give on this great floor, this historic floor, in front of this deliberative body. I am grateful for your courtesies. 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 Jerseyans who put their trust in me and asked Senator LAUTENBERG and myself, and others before us, 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 our 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 pike than a cord of wood.

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 certainly have incredible opportunities 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 kind of great 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 was a schoolteacher. To have a chance to walk on the floor of the Senate and represent the interests of a great State that is really entirely different than the background from where I came represents the American promise. I believe in it, and I believe we have a responsibility to give back.

Both of my parents were good Republicans, Senator DURBIN. My mom still is, by the way. I am not sure if she voted for my friend. She had big dreams, and so did my father, about how life would serve us.

I grew up at a time when Adlai Stevenson was Governor and then ran for President. Paul Douglas and Paul Simon worked the circuits in central Illinois. We had great Democratic Senators who passionately stood for economic and social justice for all Americans. We had another great Illinois Senator who worked the same circuits, Everett Dirksen. Like my parents, he was a Republican, but he also stood up for the promise of justice and equality for everyone in America. He believed deeply enough in those promises to use his position as leader to help pass the Civil Rights Act of 1964.

Mr. BYRD. Will the Senator yield?

Mr. CORZINE. Yes.

Mr. BYRD. Lord Byron said, ''Thank God I have done my duty.'' May I say

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 Dirksen. 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 on 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 tradeoffs in security and freedom, and protecting what it is that the American Constitution 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 imagined. I am proud of how our Nation responded and also how the leadership of this great body came together and acted, regardless of background or place, in ways I don't think any of us could have imagined. I am 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 the work we have all done 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 an 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, where people in the world I had come from had 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 capitalistic system.

With the kind of response 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 reforms.

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 in winning that battle, 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 turned our backs 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, the killing, and the pillaging that 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, 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 hooted and hollered about 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 have a number of other issues—it is painful for us to 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 at great risk.

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. We can 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 surpluses, 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 out and crowding in 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 fallen far short of providing all 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 around 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 leaders, 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 Paul Wellstone and his incredible fire and commitment to equality and justice in every possible way.

It has been some run. I want to say thanks to my children, who supported me, Jennifer, Josh, and Jeffery; an incredible staff who have worked hard. I have a list of the names of the staff who have served the people of New Jersey with me. I do not think I will read them all, but I ask unanimous consent that they be printed in the RECORD.

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

Current DC and NJ Staff

Cynthia Alicea, Renee Ashe, Lucas Ballet, Vicky Beyerle, Elizabeth Brinkerhoff, Alison Brosnan, Sandra Caron George, Jason Cassese, Anthony Coley, Gwendolyn Cook, Deborah Curto, Christopher Donnelly, Karin Elkis, Jennifer Friedberg, Michael Goldblatt, Evan Gottesman, Heather H. Howard, Julie Kashen, Vanessa Lawson, Mada Liebman.

Jose Lozano, Jonathan Luick, Anne Milgram, Jamaal Mobley, Emma Palmer, Dave Parano, Elizabeth Ritter, Keith Roachford, John Santana, Karen Slachetka, James Souder, Ellen Stein, Brooke Stolting, Jason Tuber, Margaret J. Van Tassell, Steven Van Zandt, David Wald, Barbara A. Wallace, Marilyn Washington, Sarah Wetherald, Benjamin Wilensky.

Former DC and NJ Staff

Steven Adamske, Arlene Batista, Simon Brandler, Allen Brooks-LaSure, Christine Buteas, Brian Chernoff, James Connell, Amanda Consovoy, Anthony Cruz, Arpan Dasgupta, Marilyn Davis, Lizette DelGado, Kevin Drennan, Erica Farrand, Enrique Fernandez-Roberts, June Fischer, Lauren Garsten, Elizabeth Gilligan, Jessica Goldstein, Hamlet Darius Goore.

Derrick L. Green, Robert Helland, Roger Hollingsworth, Anne Hubert, Phillip Jackman, Christopher Jones, Grace Kim, Bruce King, Scott Kisch, Jarrod R. Koenig, Allison Kopicki, Mark Layl, Robert Levy, Jonathan Liou, Duncan Loughridge, Jonathan Lovett, Elizabeth Mattson, Shauna McGowan, Patricia E. McGuire, Lena McMahon.

Hemen Mehta, Francis Meo, Maggie Moran, Michael Pagan, Sara Persky Foulkes, Carlos Polanco, Miguel Rodriguez, Julia Roginsky, Andrew Schwab, Thomas Shea, Amanda Steck, Lauren Sypek, Todd Tomich, Dan Utech, Wilson Bradley Woodhouse, David York, Muneera Zaineldeen.

Mr. CORZINE. I would not be worth a darn without what they have been able to do. I want to say that the staff who works the floor has been remarkable. Without Lula Davis' help and people such as Marty and other folks who guide us through how we get things done, none of us would be in the same place, as well as the Parliamentarians, the clerks, and others. I am extraordinarily grateful for their support.

I would be remiss if I did not mention Jeri Thomson who has been so great.

To all of you and to all of those who go unmentioned but not unthought of, let me say thank you. It has been a privilege of a lifetime and I look forward to serving the people of the State of New Jersey and our great country in the years ahead.

I yield the floor.

(Applause.)

Mr. LAUTENBERG. Mr. President, I wasn't here when JON CORZINE arrived in the Senate 5 years ago in fact, he actually took my place at the time. We met to share ideas on an agenda for New Jersey and America and I followed his progress closely. I was impressed by what I saw in JON's service in the Senate, where he has earned respect and affection. JON came from great success in the world of finance and industry, but he is able to communicate with ordinary people, as well.

Some people arrive here and immediately head for the headlines. But that isn't JON CORZINE's style. JON is a committed ''workhorse,'' who works long hours with high intensity. He doesn't have a lot of flash, but he is very effective.

He came to Washington for one reason: to serve the people of New Jersey. Now, with some sorrow on my part, he is leaving us here for the same reason: to help New Jersey even more directly.

Even before the terrorist attacks on 9/11, work had been done to strengthen security at our chemical plants. JON recognized the importance of that issue long before most people, so when he arrived here in the Senate, he took the

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 bill was blocked by lobbyists, JON didn't give up. He has continued to fight 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 in my fight to make New Jersey and our Nation safer by directing homeland security resources to where they are most needed.

By the time I returned to the Senate almost 3 years ago, JON had earned a reputation as a hard worker who cares more about getting results than getting credit. People had learned that when you talk to JON CORZINE, he really listens. They had learned that he isn't in love with the sound of his own voice. And they had learned that when JON CORZINE does speak, he has something to say.

Three years ago our Nation was rocked by the Enron scandal, and by other incidents that undermined public confidence in the integrity of major corporations. With his background as the CEO of one of the largest financial services firms in the country, 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 accounting standards, 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 successful 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. And he sponsored 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 my home State of New Jersey. I will miss him here in the Senate. But I will take comfort in knowing that he will be leading New Jersey in the right direction. I hope all of my colleagues will join me today in wishing Senator CORZINE a fond farewell and great success in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I think the Senator from California had a unanimous consent request?

Mrs. FEINSTEIN. If I may, and I thank the Senator from Massachusetts, I ask unanimous consent that I be recognized when the tributes to Senator CORZINE have concluded.

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

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, it is a privilege to join my Senate colleagues in paying tribute to JON CORZINE, congratulating him on his election as Governor of New Jersey, and commending him for his skillful service to the people of New Jersey and to the Nation as a Senator.

For the past 5 years in the Senate, Senator CORZINE has stood up for working families, for affordable health care, for pension security, and on many other challenges. Again and again, he has demonstrated his commitment to the fundamental principle of fairness—that government should represent the interests of all Americans, regardless of race, income, or disability. It has been an honor to work with him.

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 rise 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.

For 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 new Governor, and I know 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. The Senator from Maryland.

Mr. SARBANES. 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.

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 work on that committee. For a while, I was privileged to serve as chairman of the committee, and I can tell you that no chairman could have a better fate than to have JON CORZINE as one of his members.

Prior to entering the U.S. Senate, JON CORZINE spent nearly a quarter of a century with Goldman Sachs, the New York investment bank, including five as its chairman and CEO. His long and wide-ranging experience in the financial markets made him especially well qualified to deal with the issues that came within the Banking Committee's jurisdiction. In very short order, it was apparent that whenever JON CORZINE's turn in a committee meeting came to put questions to witnesses, even the most confident and sophisticated among them listened more intently and responded more carefully.

Senator CORZINE's contribution to the accounting reform and investor protection legislation known as Sarbanes-Oxley was invaluable. Along with Senator DODD, who also serves on the committee, JON CORZINE was among the first members of the Senate to call for hearings on investor protection in the wake of the collapse of Enron Corporation. Those hearings took place in February and March of 2002, and Senator CORZINE, along with others on the committee, Senator DODD and others, played a critical role in shaping the reform legislation enacted 4 months later. I have done it before and I wish to again acknowledge the very substantial and significant contributions JON CORZINE made in helping to shape and develop that legislation. His work was invaluable.

Consistently in the work of the committee, JON CORZINE played a critical role in efforts to strengthen protections for investors in our capital markets. BusinessWeek, in fact, noted that his work in this area gave him ''an unusually high profile for a junior Senator.''

His contributions to the work of the committee were by no means focused only on these issues. Indeed, he touched virtually every issue in the committee's jurisdiction. He has worked vigorously to expand housing opportunities and the effectiveness of Federal housing programs. He has been a forceful spokesman for full funding for critical programs of the Department of Housing and Urban Development—section 8 vouchers, housing for the elderly, improved public housing, and other efforts to assist low-income homeowners and renters. It is indicative of his commitment, and in his statement here in the Chamber only a few minutes ago he again was making reference to how people who work at minimum wage can't afford an apartment in county after county across the country.

He led efforts to expand coverage of FHA insurance for multifamily housing, something especially relevant in States such as New Jersey where inflated housing costs affected previous program ceilings. He pressed for energy efficiency requirements in public and assisted housing, and he has remained committed to Federal action to assure secondary mortgage market liquidity and affordable housing.

JON CORZINE was an original cosponsor of the legislation to stop predatory lending practices and spoke forcefully in the committee's deliberation about the harsh and cynical techniques predatory lenders used to exploit vulnerable borrowers seeking mortgages and other credit. He has been one of the leaders in the Senate in the fight against Federal preemption of State consumer protection laws which are designed to protect our citizens against these practices.

He has been among the Senate's most outspoken advocates for public and private financial literacy programs to ensure that all Americans of all ages and all backgrounds have the skills to grasp the financial implications of the often complex credit card loans and other financial arrangements they are offered.

He has obtained Federal funding for financial education programs in elementary and secondary schools and was the leader in the ultimately successful efforts in 2003 to pass the Financial Literacy and Education Improvement Act, which incorporates many of his ideas. For his work on this issue, the JumpStart Coalition for Personal Financial Literacy named him ''Federal Financial Literacy and Education Legislator of the Year.''

Throughout his tenure, Senator CORZINE has been among our most articulate advocates for public transportation, whose importance in the day-to-day lives of his constituents he knows firsthand since he represents the most densely populated State in the Nation. He fought to preserve and enhance the Federal transit program as the new surface transportation authorization legislation was developed. As a result of his efforts, New Jersey will receive nearly $2.5 billion in transit formula funds from 2004 through 2009, a 50-percent increase over the amount the State received in the predecessor legislation.

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 having 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 integrity of the Nation's payment 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 have been left out of it. This 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 and above 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 place as 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.''

JON CORZINE went on to earn his B.A. as Phi Beta Kappa at the University of Illinois at Urbana-Champaign, and enlisted in the Marine Corps Reserve where he served for 6 years. He attended the University of Chicago Business School at night, and not too much later he joined Goldman Sachs.

His many years in the financial markets have not dimmed JON CORZINE's vision of America as a nation grounded in opportunity—opportunity for a good education, for a decent job, a place to raise one's family 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 to admit that as time has gone by 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 the 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 the State of New Jersey, he introduced a progressive agenda which became the model for the Nation. New Jersey went to the very forefront of the 50 States in addressing fairness and opportunity for its citizens and enhancing their quality of life. I say today, as we bid our dear colleague a fond farewell, JON CORZINE can provide that kind of leadership for New Jersey. He can move that State to the very forefront of the 50 States and make it a shining example of what can be accomplished when all of us pull together in order to enhance opportunity for each and every one. I wish him the very best as he leaves this body and in the years ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise today to join my colleagues in honoring a man I have come to know as a colleague, a dedicated public servant, and a friend.

JON CORZINE is a shining example of the American dream—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 Reserves—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 power to fight for people without political influence. For the last 5 years, he has been a tireless advocate or 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 a 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 am honored to have him as a friend and a colleague—and I wish him well in his new role as Governor of New Jersey.

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 JON 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 SARBANES said, that even though 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 in Michigan—growing 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 our 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.

So 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 son of that great 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. There were many people who brought up reason after reason why this was not a place where I could serve.

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 take him as the next Governor of New Jersey.

I know he will continue to do great things in New Jersey as the Governor of that State, in the same way he has done great things in the Senate—those things my colleagues have spoken about on the floor of the Senate today.

I wish him well, and I know his continued leadership is something we will continue to see in the days and years ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, it is a privilege to be here today to say a few words about my colleague and friend, JON CORZINE. He has honored this Senate and he has honored the people of New Jersey with his service.

I did not know JON before he came here. I heard about his campaign. I heard about his success 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 surprised us all 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 these, 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 Veterans' Administration Home Loan Program provides access to 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's legislation 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 and 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 all 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 community 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 have listened 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 of accomplishing those goals. What has always struck me about JON CORZINE and the thing that has been singled out in a number of comments made by my colleagues is the quality of the person, almost an improbable quality when you measure it against the profession he chose for so many years.

Maybe a comment about Wall Street, certainly a comment that I know JON CORZINE would articulate any number of different times in different ways, that we don't think of people traditionally, with the obvious exceptions, a Bob Rubin, some others. JON CORZINE always kept, No. 1, a great sense of idealism; No. 2, a very strong moral compass that led him to always distinguish between right and wrong; and, No. 3, an integrity about the approach to public life that willingly disclosed great wealth, willingly submitted himself to unbelievable attacks in order to pursue a greater good. Most people would shy away from that today. When you talk to people in the private sector today about running for office, they are quick to say: Do that? Why would I want to do that? Why would I want to subject myself to that? Why would I want to put myself through that scrutiny?

JON CORZINE has always been driven by his sense that there is too much missing in governance today, that there is a bigger purpose than all of us individually, a noble purpose in what we are trying to achieve. He believes unabashedly that Government can be part of the solution, that Government actually helps people. And unlike so much of the rhetoric of the last years that has attacked everything Government does until you have a Katrina, when you understand why you need it, or until you see the potholes in the streets and the bridges falling apart and you begrudgingly acknowledge you need it, JON always believes you need it proactively. He understands the good it can do.

Every one of us who has had the privilege of being here for awhile was impressed by that passion and moral compass he brought to some of the issues. When business people in America were abusing their trust, JON brought this extraordinary credibility to that debate. There are huge provisions, as Senator SARBANES will tell us, and a great deal of guidance through that process that came from this freshman Senator.

Likewise, with respect to Darfur, an issue where the country ought to be providing a sense of moral outrage, JON doggedly and tenaciously pursued that issue without grandstanding, without trying to do it in a way that was sort of hit and run. He stayed at it and got the Senate ultimately to take some measures, though never what we ought to be doing, and the country has yet to do what he knows and understands we ought to be doing.

He always has had a sense of right and wrong. The minimum wage, the incomprehensibility of us being a country where people can live out work values and you can't live, and his sense of injustice at giving a tax cut to people such as him who have been blessed with the fruits of great wealth, who understand that there is a different set of priorities, a sense of outrage that we would be cutting children off of Medicaid, and so on down the list.

I am thrilled, and I know when I was privileged to be 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, 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 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 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 fiscal, 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 service 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 JON 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 valued member of that committee. He has made an extraordinary contribution there, always thoughtful and well informed. Senator CORZINE 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 JON CORZINE.

On the Budget Committee, Senator CORZINE has warned repeatedly 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 words have weight, especially 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 the 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 someone of JON 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 JON 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 want to join with my colleagues in paying tribute to our departing Senator from New Jersey, Senator JON 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 Reagan, and Robert Rubin, the Secretary of the Treasury under President Clinton. Senator CORZINE followed in that tradition of very successful

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 forego what would have been a safe track and a relatively easy reelection next year as a Senator because he felt he could be of better 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 in New Jersey to their better interests. I wish him well. We will miss him. He will carry out even further the great talents he has and his ability to improve his State and our country.

I yield the floor.

Mr. REID. Mr. President, when the Senate returns in January, we unfortunately will be without one of the finest Senators in this body. Senator JON CORZINE will be moving to New Jersey to serve as its Governor. I want to publicly congratulate Senator CORZINE on an impressive victory, and congratulate the people of New Jersey for making an outstanding choice. Their gain is the Senate's loss.

JON CORZINE has been an exceptional Senator largely because he is an exceptional person. It didn't take Senator CORZINE long to demonstrate to his colleagues his intelligence and his impressive knowledge of a broad range of political and economic issues. But perhaps even more important, he quickly convinced members on both sides of the aisle that he possessed a genuine decency and humility.

JON CORZINE surely has one of the most impressive resumes of any American anywhere. He has a remarkable record of accomplishment, both in business and public service. But success never went to his head. And if you are fortunate enough to meet him—no matter who you are or what your place in society—you can be sure that Senator CORZINE will treat you with respect. He is sincere. He listens. And he's humble. Its almost impossible not to like JON CORZINE.

When Senator CORZINE came to Washington just 5 years ago, it didn't take him long to earn both the admiration and the affection of his colleagues. But he wasn't just a nice, smart guy. He also worked on behalf of the citizens of New Jersey and the Nation like there was no tomorrow. And it didn't take long for him to make his mark.

Soon after coming to the Senate, Senator CORZINE played a critical role in efforts to respond to widespread abuses at corporations like Enron. At the time, Congress needed someone who understood corporate America and who could help find balanced solutions that made sense. JON CORZINE stepped to the plate and helped develop one of the most important corporate reforms in American history. That legislation, known as Sarbanes-Oxley, may not bear his name, but it surely bears his mark, and all Americans owe him a great debt of gratitude for his contribution.

Senator CORZINE's economic expertise also helped him become a real leader on budget and fiscal issues. Since coming to office, he has been an outspoken advocate for fiscal responsibility and a leading defender of Social Security. In the last Congress, he headed the Senate Democratic Task Force on Social Security, where he developed the case against privatization long before the issue was in the headlines. Democrats stopped the administration's misguided attempt to privatize Social Security dead in its tracks this year. Senator CORZINE's efforts last year laid the groundwork for much of what we were able to accomplish.

Senator CORZINE also has taken up another important cause that still fails to attract sufficient attention: the genocide in Darfur. After prior mass murders abroad, such as the one in Rwanda, many Americans looked back with regret at our Nation's failure to act. Yet today, in the midst of another terrible genocide, the U.S. response is again woefully and tragically inadequate. JON CORZINE has personally gone to Darfur and has worked hard to focus the Nation's attention on this crisis. It has been a thankless task with no apparent political benefits. For his willingness to pursue this moral cause, he deserves real credit from every American. It will be incumbent on all of us to remain focused on this terrible tragedy after he leaves.

Another cause of great importance on which Senator CORZINE has taken the lead is the effort to prevent terrorism at chemical plants. As Senator CORZINE has told us repeatedly, there are more than 100 chemical facilities around our Nation where a terrorist attack could endanger more than a million people. Unfortunately, security at too many of our plants is grossly inadequate. Senator CORZINE recognized the importance of addressing these security risks now before a catastrophe occurs. Each of us has a responsibility to push forward on this issue he has pushed so tirelessly.

I could go on about the many other issues on which Senator CORZINE has taken a lead from protecting prescription drug benefits of New Jersey seniors to promoting financial literacy to preserving our environment, blocking cuts in student aid and protecting workers against unsafe conditions. In his relatively short time in the Senate, Senator CORZINE has been one of our most active Senators and he has had an impact on a surprisingly broad range of issues.

I also want to take a moment on behalf of the Senate Democratic caucus to publicly thank Senator CORZINE for his work in the last Congress as head of the Democratic Senatorial Campaign Committee. Senator CORZINE had a tough Job and was dealt a tough hand. But he worked extremely hard, as he always does, and he did an excellent job.

Let me also express my appreciation to Senator CORZINE for selecting an outstanding 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 on some very difficult challenges. 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 them well 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 left a small 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 away 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 Midwestern tradition of working hard. He started at age 13 with his first job. He worked his 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

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 go to the mailroom and talk to the workers there and 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 Dafur 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 there. That is 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 who inspired many of us, 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 it all.

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 design Social Security. 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 PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I want to share my thoughts about JON CORZINE. He had a great record at Goldman Sachs. I didn't really know he was a farm boy. That is something Senator DURBIN 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 that 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 site, Martin Luther King led 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 he believed 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 and to gain 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. It has been an honor to 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 crafting 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 crafting 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 legacy that will last well past his last day here in the Capitol.

JON also brought to the Senate an appreciation of open and accountable Government. He saw security and accountability as going hand in hand, a way for citizens to know what their chosen representatives are doing to ensure the health and safety of their own neighborhoods and communities. He recognized the need to balance the ever-changing need for security with the everlasting principles of openness that make our democracy the strongest in the world. I was pleased to work with him to protect the Freedom of Information Act which the current administration has sought to weaken at every turn of the road.

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 the 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 Budget Committee. His depth of 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

the private sector, rising to be the co-chief executive officer at Goldman Sachs. He decided to enter public service and was elected to the Senate in 2000 where he has worked tirelessly on behalf of the people of New Jersey. In November, Senator CORZINE was elected to be Governor of New Jersey and I am confident he will continue his outstanding public service work in this new position.

I am very pleased that while he served in the Senate, Senator CORZINE had the opportunity to visit my home State of South Dakota in 2002 during my re-election campaign. The trip gave him the opportunity to experience the beauty and friendliness of South Dakota, and I know that those who met Senator CORZINE were very impressed with him and pleased that he had visited the State.

Once again, I would like to thank Senator CORZINE for his extraordinary service in the Senate and wish him the very best on his new challenges and opportunities as Governor of New Jersey.

Mr. WYDEN. Mr. President, I rise to say a word or two about our good friend 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 ought to be done. We were sympathetic to the needs of the airlines after 9/11 but concerned about the very large sums of money that were going to be directed to one sector of our economy when many of our important economic sectors were hurt after 9/11; in that period when our country suffered tragically in New York but where there were economic ramifications across the country.

That legislation would not have passed if Senator CORZINE, along with help from our former colleague, Senator Fitzgerald, had not stepped in and figured out how to deal with the financing in a responsible way that protected 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 training in finance, and figured out how to make sure there was not a bailout in effect for just one sector that would have taxpayers holding the bag and was sensitive to the needs of all concerned.

I was struck, as I watched him deal with that airline legislation, how in this individual a combination of compassion, fairness, and intelligence worked in a very quiet and dignified way to bring together different parties, different Senators who had widely diverse views, and tackled an issue of great importance.

I think that is exactly what he is going to do when he assumes the Governorship of New Jersey. He is going to bring exactly that combination of fairness, compassion, and brains, always done in a kind of low-key, understated way. I believe the people of New Jersey will benefit as they have in his service here in the U.S. Senate.

We hope Governor CORZINE will come to Oregon because he has expressed an interest in looking at some of our innovative approaches, particularly in the area of health care and the environment. We wish him well and know he is going to have a very distinguished career as the new Governor of New Jersey.

I yield the floor.

Mr. PRYOR. Mr. President, I rise today 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 such an energetic and compassionate man will continue to serve them as their new Governor.

Senator CORZINE is a man that knows how to be successful, whether as a leader in the field of investment 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 destroyed 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'' lifetime 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 men and women in uniform. As a member of the Senate Budget Committee, he has championed the priorities of everyday, working Americans time and again. He consistently opposed the fiscal policies that have led our Nation to such a 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.

Ms. MIKULSKI. Mr. President, I rise today to pay tribute to a great Senator and the Governor-elect of New Jersey, JON CORZINE. While Senator CORZINE has only been in the Senate for 5 short years, he has made an indelible mark on our Nation and on his Senate colleagues, myself included. I have had the opportunity and pleasure of serving with Senator CORZINE on the Senate Intelligence Committee, seeing firsthand his patriotism, his dedication to our Nation, and his work ethic.

Senator CORZINE has been an invaluable resource here in the Senate, especially as we confronted the corporate scandals of recent years. With his expertise as the former CEO and chairman of Goldman Sachs, we looked to Senator CORZINE during the reform process. He stepped up to the challenge, helping push through sweeping changes in our Nation's corporate governance. I know that he is proud of this accomplishment, and our Nation is better for his efforts.

While Senators come to Washington to represent their States, their actions have consequences for every American citizen. America has been well served by having JON CORZINE in the Senate and I know that the citizens of New Jersey could not have chosen a better man to serve as their Governor. He will bring not only his work ethic and intellect, but a unique blend of Government and corporate experience to bear on the challenges facing New Jersey.

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.

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 benefitted from his expertise.

I enjoyed working with Senator CORZINE during the time when I served on the Banking Committee. Under the leadership of Ranking Member SARBANES, we shored up corporate governance through the enactment of Sarbanes-Oxley—the influence of which has been felt in corporate boardrooms, and even nonprofit boardrooms, across America.

The Senate and the Congress will especially miss the dedication of our colleague in the effort to promote economic and financial literacy. Senator CORZINE has been a stalwart in working with me, and Senators SARBANES,

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 and increase funding for the Excellence in Economic Education Act for grades K through 12; efforts to work on college campuses through the College Literacy in Finance and Economics 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 Education for Retirement Security Act, S. 924, 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 essential choices 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 Senate in 2000, 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 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 recently 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 congressional 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 Senator CORZINE to be 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 and Godspeed.

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 in his new position.

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 on 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 October, Congress finally passed mandatory security 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. His 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 I have seen him work 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 as the world faces 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 for the amendments I offered during 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 work to protect Americans' 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 continue to 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 as 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, IL. 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 Reserves, 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 meteoritic 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 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, expanding its community 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 co-author 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 the international front, Senator CORZINE has sponsored the Darfur Accountability Act, an act I am proud to cosponsor, which seeks to address the terrible genocide currently occurring in the Darfur region of Sudan.

What I will remember most about Senator CORZINE's tenure is his commitment to strengthening our Nation's homeland security. Having worked with Senator CORZINE on several homeland security issues, I know firsthand that he was determined to do everything in his power to protect the American people from another terrorist attack. Senator CORZINE and I worked together in passing legislation that created the 9/11 Commission, whose service to the American people we are all well aware of. In addition, Senator CORZINE has been a leader in legislative efforts to increase security at our Nation's chemical plants, which remain vulnerable to attack. Senator CORZINE crafted strong legislation aimed at protecting these facilities, and I remain hopeful that Congress will act on this area of great vulnerability. I will continue to be inspired by the dedication Senator CORZINE applied to this critical issue.

Let me end my statement, Mr. President, by taking the time to thank JON CORZINE for his service in the Senate. I wish him, his wife Carla Katz, his daughter Jennifer, and his two sons, Josh and Jeffrey, nothing but the best for the future, and I look forward to seeing the fine things I know he will continue to do for the people of New Jersey, now as their Governor. Once again, thank you, JON CORZINE.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I rise 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 Americans 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 in the Senate. I am confident 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.

Mrs. CLINTON. Mr. President, I wish to take this opportunity to say farewell to the distinguished Senator from New Jersey, Mr. JON S. CORZINE. In

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 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 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 principle and practice, are, more than anything, what the Senate will sorely miss.

Consider Senator CORZINE's role in crafting the Sarbanes-Oxley Act of 2002. His work on this bipartisan legislation helped produce 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 cosponsor 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 and improving access to health care and medical treatment, and to protecting the rights of patients, is truly exemplary.

Finally, Senator CORZINE served New Jersey and his 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 to prevent future acts of terrorism. His hard work to secure our Nation's vulnerable chemical facilities serves as a noteworthy example. I was proud to cosponsor 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 Senatorial Campaign Committee. 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 wish to spend 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 came to 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. I remember partnering 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 sincere 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 publicly 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. 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 be paid 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.