

We have talked about that from time to time, all of us who comment on Senator BYRD, from one birthday to another, and how he persevered and how he never grew discouraged. He had very little means with which to live, but he had something called iron will and a sense of purpose.

It is not entirely clear to me that his sense of purpose was to be directed to the Senate in his early years, when he was working for the military, as a ship builder, as a meat cutter, and doing other things he needed to do, particularly when he was in West Virginia, for the purpose of surviving.

But what actually interests me almost the least about next Tuesday is that it is his 90th birthday. That is not what I think of when I think of ROBERT C. BYRD. I don't think about his age. I think about his absolutely dominant sense of discipline, self-control, purpose, and a willingness to do whatever needs to be done to accomplish a goal for West Virginia.

Senator BYRD and this speaker, this Senator, understand very well how hard it is for West Virginia to succeed, to make strides forward, partly because of the nature of its topography—only 4 percent of the land is flat. There is a very interesting effect of that 4 percent. I think Senator BYRD would agree with me. It causes us not only to have to fit most of the industry in that 4 percent, but a lot of the people are fit into that 4 percent. Therefore, by definition, the word “community,” and from that the word “family,” has a powerful meaning in West Virginia.

I wasn't born in West Virginia. I came to West Virginia as a VISTA volunteer and worked in a very challenged community for 2 years as a VISTA volunteer. It was that sense of family, of people looking out for each other, that turned my life upside down and made me want to stay there and fight for West Virginia.

The phrase “fighting for West Virginia” is what sums up ROBERT C. BYRD, whether it is his 50th birthday or his 90th birthday. It has never changed with him. The fight for West Virginia, in our part of the world, is a sacred cause; No. 1, because it is hard; No. 2, because there are so many people who don't understand West Virginia, don't understand West Virginians.

But then an interesting thing happens. They come to West Virginia on a visit. When they go to the Greenbrier, that doesn't quite count as going to West Virginia. But if they come to the rest of West Virginia, they are usually overwhelmed. This can be reporters, this can be observers, this can be people who are doing business or visiting in West Virginia—they are overwhelmed by the sense of warmth, honesty, integrity, purpose. For the most part, it is a hard life, a fairly low average family income, people living at the margins—some people doing spectacularly well. Many of them leave the State. Many of them stay in the State.

But West Virginia takes work. It takes hard work. That is what Senator

ROBERT C. BYRD is all about and that is what I think of when I think of him on this day, on next Tuesday, or any time in the future: the capacity and the love of hard work. It is a requirement for a Senator from West Virginia, but it has been the particular domain of the senior Senator from West Virginia. Yes, it is true that he has held powerful positions and does hold powerful positions in the Senate. What can one make of that? The fact that he has been here and he has earned those positions.

But he has done everything in his power to help our people and to help our communities. That is essentially what I am here for, but I am staggered by what he has done.

It is not just the building of roads—that is what is usually associated with Senator BYRD—but it is all kinds of work. When you pick up a local newspaper, often somebody—some institution, some college, some volunteer fire department, some research institute at one of our universities or colleges—has been helped by Senator BYRD.

It is work, it is simply hard work.

It is like the memorization which has been referred to so often. It is the power of memory. If you memorize poems, if you memorize books, if you memorize English monarchs, that takes work. It takes a particular type of diligence, fanatical commitment to achieving a purpose. So he can do it on that cerebral side, the intellectual side, and he does it all the time in serving West Virginia.

I can remember in happier days for all of us, when Irma, his beloved wife, was living. I would call him—I would try not to call Senator BYRD too often at home—and she would say: Oh, he is out on the porch having a cigar.

I would feel good. I would feel good because it would be one of the very few times that I had ever heard of Senator BYRD not working but actually sitting on the porch smoking a cigar. Now, he may have been reading the Constitution, he may have been reading the Encyclopedia Britannica, I have no idea. But he was smoking a cigar. Or sometimes he would take a walk with his beloved dog Billy. And those things he treasured.

So he did have his moments of solace and his moments of quietude. I think a particularly hard blow for him, and therefore for my wife Sharon and myself, was the death of his wife. She was the, as they say, moving wind under his wings. He adored her. We have had many conversations about her. Yet when she passed on, it did not change his nature. It saddened him. He does not show his emotions. But it did not change his nature as a worker. So he will be 90, that should be noted as a fact, on Tuesday. But on Tuesday he will also be an incredible fighter for the people of West Virginia and, yes, of the Constitution and, yes, the place of the Senate in our pattern of Government. But, fundamentally, his heart, his work, his attention, over and above what he has given to his family, has

been helping the people of West Virginia. That is what we are elected to do. We all do it in one way or another. Some just do it in a superior way because they have the superior ability and a superior focus and a superior concentration and an overwhelming love for their State, which nurtured them, brought them up, and gave them the values Senator BYRD has.

Senator BYRD, I am tempted at this point to say: Here is to you. But you do not drink. That is another one of your good characteristics. So I am not going to say that. I am just going to say I am extremely proud to be your colleague. I am very moved by every aspect of your career which, I think, in the broad sweep of America, matches anybody.

Lots of people can make money. They have an idea, they turn it into a product, the product sells, they make a lot of money, and then they go buy houses and do things. Very few people have the constancy of purpose and love of State, driven greatly now by the memory of Irma, which is always with you every minute of every day.

So I honor you, Senator BYRD. I wish you a happy birthday, and many happy birthdays to come.

Mr. CONRAD. Mr. President, I wish Senator BYRD a happy birthday. I was there at the celebration last night. Senator BYRD is one of the great men in American history. As people will look back on his career, they will see a truly remarkable public servant. It has been my privilege in the 21 years I have been here to watch Senator BYRD, to learn from him. He is a truly remarkable man, a renaissance man, somebody who studied not only American history but world history. He has learned from what he has studied. He brings the wisdom of the ages to this Chamber.

We have enormous admiration for what Senator BYRD has meant to this country, to his State, and to the Senate that he loves so much. We all recognize Senator BYRD and want to honor him on this special day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

#### UNANIMOUS-CONSENT REQUEST— H.R. 3074

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the conference report to accompany H.R. 3074, the Transportation-HUD Appropriations Act; that there be 20 minutes of debate with respect to the conference report; with the time equally divided and controlled between Senators MURRAY and BOND or their designees; that upon the use or yielding back of time, the Senate proceed to vote on adoption of the conference report, without further intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. KYL. Mr. President, there is objection on behalf of members of the Republican side. As you know, the Republican leader objected to the same request yesterday. There is objection.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mrs. MURRAY. Mr. President, we are about to begin one of the busiest travel seasons of the year—the week of our Thanksgiving holiday. The millions of Americans who will take to our Nation's roads, rails, and airways probably won't have the country's transportation budget on their minds. But we had them in mind as we put together this bipartisan Transportation-Housing appropriations bill and negotiated the conference agreement before us today. Unfortunately, the Senate Republican leadership has now formally blocked our ability to have a vote on this conference agreement and move it to the White House. And that is shameful.

Our conference report invests in rebuilding our infrastructure and modernizing our safety systems. It spends the money needed to adequately staff our air traffic control towers and hire the safety inspectors for aircraft, pipelines, and railroads that are needed to protect us. It rejects misguided budget cuts proposed by the White House to slash the number of safety inspectors, underfund our highway needs, and throw Amtrak into bankruptcy.

This bill also keeps faith with another American Thanksgiving tradition—giving back to those who are less fortunate. It rejects the President's proposals to slash housing funds for the elderly and the disabled and provides necessary increases to shelter the homeless and keep federally subsidized tenants in their homes.

Finally, this holiday, millions of families will worry that they won't be able to keep their homes for another year. Millions are facing foreclosure on their homes in the coming months as their mortgage payments rise to unaffordable levels. This agreement helps address that crisis by targeting a quarter of a billion dollars to ensure these families get counseling that will allow them to stay in their homes. We are working to stop the rising number of foreclosures and increasing despair among the millions of citizens who pursued the American dream of homeownership.

Throughout this process, I have worked closely with a very able partner, my ranking member, Senator BOND of Missouri. We held numerous hearings together. We negotiated every line of a very complicated spending bill together, and we negotiated the details of a conference report with the House together. Senator BOND and I didn't agree on every issue or every funding level, but we continued to make compromises so that we could keep the team together, press forward with our joint responsibilities.

We were able to put together an appropriations bill that was reported by our committee without one dissenting

vote. That bill passed the Senate with 88 votes. We then negotiated a conference agreement that earned the signature of every single conferee, on both sides of the aisle, on both sides of Capitol. I am so proud of how well we were able to work together to get this important bill done. This is truly a bipartisan bill.

Sadly, President Bush threatened to veto this agreement—despite the years of neglect it seeks to reverse—and even though it has strong bipartisan support. The President says he opposes this bill because it spends about \$3 billion more than the levels he requested for these programs back in February. I think it is unconscionable that he wants to spend \$196 billion on the wars in Iraq and Afghanistan—in this year alone. Yet he refuses to invest just \$3 billion on some of the basic needs of every American—transportation and housing.

What is even worse is that instead of standing up for programs they believe in—that they supported already—the Republican leadership here in the Senate has decided to stand in the way in order to protect President Bush from having to veto these important projects. The Senate Republican leadership put their loyalty to this failed Presidency above all the good this bill can do—and above the fact that 88 Members of the Senate supported it.

Clearly, when the Senate Republican leadership calls for bipartisanship—as they have several times since they became the minority—they don't necessarily mean it. When we have a truly bipartisan agreement, they might still kill it just to score a political point. And that is a tragedy for the Senate and for Americans.

So I think it is important to point out why this bill spends more than the President's request. It is because all the conferees—Democrats and Republicans alike refused to let our bridges and highways crumble. They refused to go into the busiest travel week of the year by slashing funding for airports and railways. They refused to let our families lose their homes without an opportunity to work with their lender and professional counselors to keep it. And they refused to let our returning heroes lie homeless on the street in need of shelter and mental health services.

Now let me share some examples of why this bill should move forward.

We have all heard the stories this year about record flight delays that have disrupted people's travel plans across the country. Customer service complaints are at an alltime high. Our airports and runways are now more congested than they have ever been. And that is on a normal nonholiday week—some 27 million Americans will take to the airways this Thanksgiving.

We also face a huge challenge as we work to replace the thousands of air traffic controllers and safety inspectors who are scheduled to retire over the next several years. The void they

will leave threatens the safety and reliability of our airlines. Many of our controllers are still using equipment that is two decades old or older. But if the President had his way, we would cut funding to modernize our air traffic control system by more than \$50 million.

Well, not one Democratic or Republican conferee on our bill stood up for the President's dramatic cuts in airport investment. And no one agreed that the cutting our investment in modernized equipment was a good idea.

The President just doesn't get it. Just yesterday, he voiced concern about flight delays even as he continued to threaten to veto this bill. Only someone who flies on Air Force One could make those two statements at the same time. Travelers will have President Bush and the Senate Republican leadership to thank as they wait at the gate and on the runway, this holiday weekend.

Mr. President, the next is train travel. This coming Wednesday—the day before Thanksgiving—more than 125,000 Americans will use the Amtrak system in just 1 day. Our overcrowded highways and runways aren't able to absorb those travelers. We have to keep up our investments in options like Amtrak, which will cut down on highway congestion and air pollution caused by cars stalled in traffic. Yet the President proposed to decimate Amtrak's funding, which would have thrown the railroad into certain bankruptcy.

Well, all the conferees—House and Senate—Democrats and Republicans—refused to slash funding for Amtrak by nearly 40 percent—or almost \$500 million. Not one wanted to lose our Nation's passenger rail service to the President's misguided budget priorities.

Thirdly, we agreed to spend more than the President requested because the conferees recognized that the millions of holiday travelers who take to the highways next week will cross over 600,000 bridges that the Federal Highway Administration has rated as "Deficient." Mr. President, 80,000 of those bridges have been deemed to be functionally obsolete, meaning they don't meet today's design standards for safety, and they are handling traffic far beyond what they are designed for. These are not just remote bridges in sparse parts of the country, either—6,000 of those deficient bridges are on the National Highway System—the core network of highways that connect our major cities and towns.

We still have a tragic reminder of the cost of neglecting our highways and bridges. In the city of Minneapolis, tens of thousands of Thanksgiving travelers will be required to take alternative routes due to the collapse of Interstate 35W bridge.

This conference report includes \$195 million to help complete the reconstruction of the I-35W bridge. It also includes additional spending authority of \$1 billion dollars from the Highway

Trust Fund to allow all 50 States to beef up bridge inspections and rebuild or renovate their most deficient bridges. That additional spending authority came about as a result of my amendment, which passed on the floor back in early September. I want to thank the many Republican Senators who supported me on that vote.

Now the President's budget was formulated and delivered to Congress before the Minneapolis tragedy. But I just think it is wrong that the President hasn't altered his budget priorities one penny in the wake of that reality.

Both sides of the aisle in Congress have heard the wake-up call on the need to address our most critical, deteriorating infrastructure. Yet the President would rather spend \$196 billion on the war than help our communities ensure their safety.

Our conference agreement also helps protect homeowners who are struggling to keep a roof over their heads. It spends more than the President's request because the conferees—Democrats and Republicans alike—didn't hide from the subprime mortgage crisis that is threatening to destroy many middle-income communities across the Nation.

In the next two quarters, more than 2 million homeowners throughout the Nation will see their mortgage payments rise. Many of them will struggle or fail to meet these new, higher payments. We are now seeing communities where every other home—or every third home—is being abandoned by homeowners who can't meet their payments. Whole communities are having their economic underpinnings ripped from beneath them. Many of these near-ghost towns have been concentrated in the industrial Midwest. But Senators must know—if something isn't done to address this crisis soon, we will find these communities all across the country.

Our conference agreement includes a special infusion of \$200 million to boost housing counseling efforts to help keep struggling mortgage-holders in their homes. It is the same level that was included in the Senate version of the bill—a 500-percent increase over the current level. And rather than send this additional funding into the HUD bureaucracy, we have sent it out for competitive grants through the Neighborhood Reinvestment Corporation—a federally chartered corporation that specializes in this area.

I am especially proud that this agreement helps protect our veterans, who—tragically—now make up a quarter of the homeless population.

Veterans Day just passed. In the speech I delivered in my home State, I said we ought to be asking what we can do—as a community, a state, and a nation—for our veterans. The conferees on our Transportation-Housing bill—Democrats and Republicans alike—refused to turn their back on the realities facing our returning heroes from

Iraq and Afghanistan and all past conflicts. So our bill took one step in the right direction for our veterans. It includes \$75 million for additional housing vouchers, which provide housing assistance through HUD, as well as supportive services through the VA to help get our heroes back on their feet.

This isn't the first year the President has tried to underfund our Nation's housing and transportation system. The cuts this Congress refused to adopt this year are the very same reckless cuts proposed by the Bush administration in 2007, in 2006, in 2005, and every other year. The President has been proposing to slash funding for the CDBG Program, for elderly and disabled housing, for Amtrak, and for airports—year, after year, after year. This year was no different—and Congress responded the same way. The only difference between this year and prior years is that this year President Bush is threatening to veto the bill. And the Senate Republican leadership is determined to protect him from having to make that hard decision.

But the American people don't care about party politics. They care about whether their bridges are safe enough to travel on. They care about whether they will have to sit for hours in the airport because their flights were delayed. They care—when they are sitting on a train platform—about whether the train is actually going to arrive. And they care about our homeless veterans and the need to keep struggling mortgage-holders in their homes.

Our conference committee addressed those realities head-on and came up with a bipartisan solution. I only wish the Senate Republican leadership had these concerns of the American people on their minds rather than their need to protect a misguided President who is so out of touch with the American people.

We learned today where bipartisanship begins and ends for the Senate Republican leadership. It begins with empty, insincere rhetoric on the Senate floor. And it ends when it comes to the need to protect President Bush. When the American people wonder why important legislation is not passing out of the Senate, they should look at this example, one where the Senate Republican leadership is blocking progress on a bill that bears the signature of every Republican who worked on it—one where the needs of the American people are thrown out the window in favor of the need to protect a failed President.

#### HAPPY BIRTHDAY TO SENATOR BYRD

Mr. KYL. Mr. President, might I be recognized for a moment to comment, as the Senator from West Virginia did, on the birthday of Senator BYRD?

I will be very brief. Certainly, Senator ROCKEFELLER, being Senator BYRD's colleague, with great emotion, I noted, commented on his colleague's birthday.

I hope perhaps coming from someone on the other side of the aisle it will be equally meaningful to recognize Senator BYRD's birthday, but also recognizing his long service here, not just his birthday.

We all hope we can continue to achieve those birthdays, but more important is the ability to represent the people of our State, the people of the United States, and do so over a long and distinguished career.

There are few who have matched Senator BYRD in that regard. I join Senator ROCKEFELLER in extending my best wishes to Senator BYRD, someone who, like me, loves bluegrass music. The only difference is he can play it; I cannot. Happy birthday, Senator.

The ACTING PRESIDENT pro tempore. The Senator from Ohio has the floor.

Mr. BROWN. Mr. President, I join in wishing Senator BYRD a happy 90th birthday. I first heard Senator BYRD speak, and for that matter play his fiddle, in 1974 in Shelby, OH, a city in north central Ohio.

I was a candidate, right out of school, for the State legislature. I knew of Senator BYRD's reputation, but I never heard him play the fiddle, and I was honored by his coming to this small town and playing the fiddle for the assembled 200 or 300 people.

I also had the pleasure of listening to Senator BYRD earlier this year as a freshman member of this body as he spoke to the Democratic caucus lunch. He talked about his background. He was born during the flu epidemic. It took members of his and so many families' lives, and his struggles, as Senator ROCKEFELLER said, made him into the scholar and the fighter for economic justice that he has been.

Then I had the pleasure of visiting Senator BYRD in his office my first month on the job. He then came out during my maiden speech on the Senate floor and made a comment that my daughter talks about to this day. He said: Senator BROWN's words will be in the CONGRESSIONAL RECORD not for 100 years but 1,000 years. And my daughter called me up right afterward and said Senator BYRD said the words will be in the CONGRESSIONAL RECORD in 1,000 years.

But more important than that, he gave me his collection of speeches on the history of the Roman Senate, something we all, as newer Members of the body, should have the opportunity, and should take advantage of the opportunity to learn from his writings about the Roman Senate, how we can make this Senate work better than sometimes it does.

I would finally say, as the Senator from the State on the other side of the Ohio River, we share Parkersburg and Marietta and Belpre. We share Wheeling and Belmont County, Saint Clairsville, Bellaire, Flushing, across the river, and all up and down the river. People on my side of the river have such great admiration—of course,