

to hold up this bill because I didn't get one thing I wanted. I am working to move this bill forward because, in the large part, it is best for our Nation's farmers, and I hope we all step back and recognize that. In a democratic body, we have to fight for what we believe in, but at the end of the day it is our responsibility to make sure the larger bill moves forward. I find it very troubling that because some people didn't get something they wanted, they are now stopping this farm bill in the aggregate from moving forward.

We have a lot of opportunity now to do good for our farmers, so it is very troubling that we see the Republicans coming to the floor now and objecting to this bill. We have to ask: Why are they objecting? So we go and look at the record, and they are saying they are not allowed to get, I think it is over 200 amendments now that are listed here up for consideration on this bill. I was reading through them a few minutes ago, on what they want us to vote on in order to move this farm bill forward. There are over 200 amendments. That is not going to happen in the last 2 weeks we have in this session.

At the expense of asking for extraneous amendments that have nothing to do with the farm bill, they are holding up these critically important nutritional programs, programs that our farmers need in order to keep their livelihoods going, and sending out all across the Nation a huge question mark about whether they are going to have what they need as they move into the next growing cycles. I looked at this list of amendments. There are amendments they want us to consider on a farm bill for fire sprinklers and tort reform and estate tax repeal. They may all be critical issues, but a farm bill is not where we consider these issues.

This bill is far too important for our Nation's health and our economy to use it now as a vehicle for some kind of political game. Only once in our modern history has a nonrelevant amendment been added to the farm bill. Each and every time we have considered the farm bill, the majority and the minority have worked out a reasonable agreement that helps clear the path forward for this important bill. What we see today, unfortunately, is a Republican minority that has decided to throw out the history books and continue to set a record-setting pace of obstruction and kill the help our farmers need and deserve.

Today our families are all struggling—gas prices, energy prices, mortgage crisis, health care costs. We have to get beyond the politics and make sure our farmers and our kids benefit from the very critical investments in this farm bill. These aren't just numbers in a bill. As you well know, Madam President, coming from a State that depends on agriculture, these programs can make or break people's livelihoods.

We have got to come together, and I urge our Republicans to get their ship in order, come to the table with a reasonable plan to move forward, and let us get this bill passed.

Madam President, I yield the floor.

MAKING TECHNICAL CORRECTIONS TO THE HIGHER EDUCATION ACT OF 1965

Mrs. MURRAY. Madam President, I ask the Chair to lay before the Senate a message from the House of Representatives with respect to S. 2371, Higher Education Technicals.

The Presiding Officer (Ms. KLOBUCHAR) laid before the Senate the following message from the House of Representatives:

S. 2371

Resolved, That the bill from the Senate (S. 2371) entitled "An Act to amend the Higher Education Act of 1965 to make technical corrections", do pass with the following amendment:

Page 3, after line 11 of the Senate engrossed bill, insert the following new section:

SEC. 3. TEACH GRANTS TECHNICAL AMENDMENTS.

Subpart 9 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070g et seq.) is amended—

(1) in section 420L(1)(B), by striking "sound" and inserting "responsible"; and

(2) in section 420M—

(A) by striking "academic year" each place it appears in subsections (a)(1) and (c)(1) and inserting "year"; and

(B) in subsection (c)(2)—

(i) by striking "other student assistance" and inserting "other assistance the student may receive"; and

(ii) by striking the second sentence.

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate concur in the House amendment and the motion to reconsider be laid upon the table.

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

CHARLIE W. NORWOOD LIVING ORGAN DONATION ACT

Mrs. MURRAY. Madam President, I ask the Chair to lay before the Senate a message from the House of Representatives with respect to H.R. 710, Charlie W. Norwood Living Organ Donation Act.

The PRESIDING OFFICER (Ms. KLOBUCHAR) laid before the Senate the following message from the House of Representatives:

H.R. 710

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 710) entitled "An Act to amend the National Organ Transplant Act to provide that criminal penalties do not apply to paired donations of human kidneys, and for other purposes", with the following House amendments to Senate amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Charlie W. Norwood Living Organ Donation Act".

SEC. 2. AMENDMENTS TO THE NATIONAL ORGAN TRANSPLANT ACT.

Section 301 of the National Organ Transplant Act (42 U.S.C. 274e) is amended—

(1) in subsection (a), by adding at the end the following: "The preceding sentence does not apply with respect to human organ paired donation.;" and

(2) in subsection (c), by adding at the end the following:

"(4) The term 'human organ paired donation' means the donation and receipt of human organs under the following circumstances:

"(A) An individual (referred to in this paragraph as the 'first donor') desires to make a living donation of a human organ specifically to a particular patient (referred to in this paragraph as the 'first patient'), but such donor is biologically incompatible as a donor for such patient.

"(B) A second individual (referred to in this paragraph as the 'second donor') desires to make a living donation of a human organ specifically to a second particular patient (referred to in this paragraph as the 'second patient'), but such donor is biologically incompatible as a donor for such patient.

"(C) Subject to subparagraph (D), the first donor is biologically compatible as a donor of a human organ for the second patient, and the second donor is biologically compatible as a donor of a human organ for the first patient.

"(D) If there is any additional donor-patient pair as described in subparagraph (A) or (B), each donor in the group of donor-patient pairs is biologically compatible as a donor of a human organ for a patient in such group.

"(E) All donors and patients in the group of donor-patient pairs (whether 2 pairs or more than 2 pairs) enter into a single agreement to donate and receive such human organs, respectively, according to such biological compatibility in the group.

"(F) Other than as described in subparagraph (E), no valuable consideration is knowingly acquired, received, or otherwise transferred with respect to the human organs referred to in such subparagraph.."

SEC. 3. REPORT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report that details the progress made towards understanding the long-term health effects of living organ donation.

SEC. 4. NO IMPACT ON SOCIAL SECURITY TRUST FUND.

Nothing in this Act (or an amendment made by this Act) shall be construed to alter or amend the Social Security Act (42 U.S.C. 301 et seq.) or any regulation promulgated under that Act.

Amend the title so as to read: "An Act to amend the National Organ Transplant Act to provide that criminal penalties do not apply to human organ paired donation, and for other purposes."

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate concur in the House amendments and the motion to reconsider be laid upon the table.

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

Mr. LEVIN. Madam President, this bipartisan legislation makes technical changes to legislation I previously introduced, S. 487, along with Senators BOND, DORGAN, GRAHAM, DURBIN, MIKULSKI, PRYOR, CARDIN, ISAKSON, COLEMAN, BROWN, and CHAMBLISS and which passed the Senate on July 9, 2007. Companion legislation, H.R. 710, was introduced in the House by Representatives CHARLES NORWOOD and JAY INSLEE,

where the bill was renamed in honor of Representative Norwood, a longtime advocate of organ donation, following his passing on February 13, 2007. This legislation, which applied only to kidneys when first introduced, was subsequently broadened in a Senate substitute amendment I offered and the Senate adopted unanimously on July 9, 2007. The legislation was broadened to include paired donation of other organs as the field of transplantation advances, and in order that those advances not be hindered.

Today, the House has returned the bill passed by the Senate on July 9, 2007, with several technical changes and we are all pleased that with its adoption today and fast-track to the President for his signature, the saving of thousands of lives is on the horizon.

Our legislation will save lives by increasing the number of kidneys and other organs available for transplantation through the process called paired organ donation. It addresses this relatively new procedure, which is supported by numerous medical organizations, including the United Network for Organ Sharing, UNOS, the American Society of Transplant Surgeons, the National Kidney Foundation, the Association of Organ Procurement Organizations, and the American Society of Pediatric Nephrology, as well as many other organ donation and transplant organizations. Paired organ donation, which did not exist when the National Organ Transplant Act, NOTA, was enacted more than two decades ago, will make it possible for thousands of people who wish to donate a kidney or other organ to a spouse, family member or friend, but find that they are medically incompatible, to still become living kidney donors.

In the process of organ paired donation, a donor who is willing to give an organ to a family member or a friend, but is biologically incompatible, donates to another patient, who also has an incompatible donor. By cross-matching two or more incompatible living donor recipient pairs, more patients can receive organs and more donors can give an organ. Paired organ donation results in donor-recipient matching, that would not otherwise occur.

This legislation is necessary because the National Organ Transplant Act, NOTA, which contains a prohibition intended by Congress to preclude purchasing organs, is unintentionally impeding the facilitation of matching incompatible pairs, as just described. Our legislation would simply add paired donation to the list of other living-related donation exemptions that Congress originally placed in NOTA. It removes an unintended impediment to paired donations by clarifying ambiguous language in section 301 of the National Organ Transplant Act, NOTA. That section has been interpreted by a number of transplant centers to prohibit such donations. In section 301 of NOTA, Congress prohibited the buying

and selling of organs. Subsection (a), titled "Prohibition of organ purchases," says, "It shall be unlawful for any person to knowingly acquire, receive, or otherwise transfer any human organ for valuable consideration . . ." This legislation does not remove or alter any current provision of NOTA, but simply adds a line to section 301 which states that paired kidney donations do not violate it.

Congress surely never intended that the living donation arrangements that permit paired donation be impeded by NOTA. Our bill simply makes that clear. Some transplant professionals involved in these and other innovative living kidney donation arrangements have proceeded in the reasonable belief that these arrangements do not violate section of 301 of NOTA, but they contend that they are doing so under a cloud.

No Federal dollars are needed to implement this change. And, for each patient who receives a kidney, Medicare will save roughly \$220,000 in the end-stage-renal disease program because of the significantly lower cost of transplantation compared to dialysis cost. It is essential that we make the intent of Congress explicit so that transplant centers which have hesitated to implement incompatible living kidney donation programs can feel free to do so.

Currently, over 97,000 people are waiting for an organ, including 72,000 who are waiting for a kidney transplant, over 2,600 of whom are in the State of Michigan, as they endure countless hours attached to a life-sustaining dialysis machine hoping that a organ donor will become available before they die. Because of the shortage of available organs, approximately 3,800 people die every year while on the waiting list for a kidney transplant. For them, time is of the essence.

Last but certainly not least, the great success we have achieved here today would not have been possible without the support of my good friend and colleague in the House, Representative JOHN DINGELL chair of the House Energy and Commerce Committee and my distinguished and caring colleague in the Senate, Senator TED KENNEDY, chair of the Committee on Health, Education, Labor, and Pensions. In addition, there are those who energetically led the effort in educating Congress on the need for paired donation and they have long been a progressive force in organ donation and transplantation. I thank Dr. Robert M. Merion, professor of surgery at the University of Michigan Transplant Center and secretary of the American Society of Transplant Surgeons, ASTS, as well as Dr. Goran B. Klimentalm from Baylor University Medical Center and president of the ASTS, for their tireless advocacy for this lifesaving legislation. I would also like to thank Dr. Jeff Crippin, director of liver transplants at Washington University in St. Louis, MO, and president of the American Society of Transplantation, AST; Dr. David Briscoe, direc-

tor of transplant research at Children's Hospital in Boston, Harvard University; Dr. David Cohen, director of kidney transplant, Columbia University; and Bill Lawrence of United Network of Organ Donor Sharing for his steadfast leadership in the cause of organ donor awareness and organ transplantation.

Senate passage and enactment of this legislation is a fitting tribute that honors the memory of six members of the University of Michigan Transplant Team, who died in a tragic plane crash while on an emergency mission to deliver life-saving organs to the University of Michigan Hospital to save the lives of transplant patients.

I would like to share with my colleagues the sentiments expressed by Mary Sue Coleman, President of the University of Michigan, upon learning of the tragic loss of the six members of the University of Michigan Transplant Team. Her remarks, given on June 5, 2007, are as follows:

Our hearts are broken by the devastating and irreplaceable loss of six members of the Survival Flight transplant team.

Every day, the doctors, nurses and flight personnel of Survival Flight do heroic work in saving the lives of others, and that is how we will remember those who perished in Monday's tragedy—as selfless heroes.

There is no greater act than that of saving a life, and through our grief, we take comfort in knowing these six men died in the service of a fellow human being.

Please hold in your hearts David Ashburn, M.D., a fellow (physician-in-training) in cardiothoracic surgery; Richard Chenault II, a transplant donation specialist with the U-M Transplant Program; Dennis Hoyes, a Marlin air pilot; Rick Lapensee, a transplant donation specialist with the U-M Transplant Program; Bill Serra, a Marlin air pilot; and Martinus (Martin) Spoor, M.D., a cardiac surgeon who had been on the U-M faculty since 2003.

Our thoughts and prayers are with their families, friends and colleagues.

Finally, I would also like to share an excerpt from a letter I received from Dr. Robert Merion regarding his cherished colleagues and friends who were members of the University of Michigan Transplant Team, as follows:

All of my colleagues who perished in that horrible crash were committed to organ donation. In fact, the U.S. Department of Health and Human Services awarded one of them, Richard Chenault II, its Medal of Honor in 2006 for his successful efforts to increase organ donation at the University of Michigan. All six of these fine men would have been extraordinarily proud to know that their names were being invoked to stimulate final passage of a bill that will provide the gift of life to so many others.

I commend the Senate on the passage of this much-needed legislation and look forward to the President signing it in the days ahead.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

LENDING CRISIS

Mr. CASEY. Madam President, I rise today to speak about something that is on the minds of a lot of Americans, but also something that initially was addressed by the President and by Secretary Paulson today when they announced their loan modification program as it relates to the subprime lending crisis that is engulfing many American communities and so many families. Despite all the evidence of the size and scope of the subprime crisis, this administration today unveiled what I would argue is a tepid plan that would reach only a small number of subprime borrowers.

I don't think it is too late for the President or Treasury Secretary Paulson to come up with a real solution, but this plan is far too little. It is my opinion that this plan will only affect a few borrowers, not enough to meet the need.

That is not just my opinion, though, it is the opinion of some experts in the industry. One in particular, Barklays Capital, is estimating that this plan announced today will reach only 12 percent of all subprime borrowers.

Mr. Eric Halperin, the Director of the Center for Responsible Lending, which institution is a leading expert in this area, was quoted in the New York Times as saying:

I don't see anything that leads me to believe we will see an increase in loan modifications.

That is just two experts weighing in on something that is critical to so many families in America. The fact that the President and Secretary Paulson have put a kind of window dressing on these loan modifications and the problems that are caused by the subprime crisis doesn't mean that we can feel secure that they are meeting the need that we see across the country. I think the administration has to do more than just talk about this issue and take credit for having some kind of a plan because we know that more than 2 million subprime loans are about to reset at higher rates in the months ahead.

This crisis has already slowed economic growth in America and has an impact the world over. It is threatening to push our economy into recession, and still the President and the administration are not willing to truly help homeowners on the brink of foreclosure.

The Treasury Secretary has known about these problems for some time, as has the administration. I am afraid when Members of Congress weigh in on this problem, as so many have—with legislation, with suggestions, with ideas—the administration tends to ignore that advice or ignore that plea for help. Just this week I sent a letter to Secretary Paulson which was signed by a number of other Senators—Senator

SCHUMER, Senator BROWN, and also Senator DODD. We asked the Secretary to consider basically five considerations.

Let me read what we asked him to examine as he and the President were preparing the plan they released today.

No. 1, we asked he ensure the eligibility for modification not be too narrow and that people who are affected have every opportunity to ensure that they remain in their home. No. 2, we asked they make sure loan modifications are long enough to ensure the long-term affordability of the mortgages and not merely delay a foreclosure. No. 3, we asked to waive all prepayment penalties. I think that is a reasonable request in this kind of crisis. No. 4, we asked the Secretary to guarantee the fair treatment of families that are not able to avoid foreclosure, even with modifications. No. 5, make sure the modification program must be transparent to allow for independent monitoring. Of these five key points, these five requests, really, it is only clear that one has been addressed. One has been addressed by freezing rates for 5 years.

A plan that affects only 10 to 12 percent of borrowers, can that kind of plan qualify and can most borrowers have confidence in such a plan? I don't think so. Unfortunately, Secretary Paulson and the President have come up far too short on their recommendations.

So many people here, not just in Washington but across the country, know the effects of this crisis on our country—obviously on families and their ability to make ends meet month to month, paying the bills, but also the effect on the economy, really on the world economy. We know, for example, the Joint Economic Committee, of which I am a member—the Presiding Officer is also a member, a proud member from the State of Minnesota. She knows when our committee had a chance to review this issue we issued a study, not too long ago, about how much this problem will cost. Just let me give you a couple of numbers which are relevant: 2 million foreclosures. We have heard a lot about that, but we know 2 million will occur by the time the riskiest subprime adjustable rate mortgages, the ARMS, will reset over the course of this year and next year. Many thought the crisis was behind us, that we were kind of over the hump. A lot of experts believe the worst is yet to come. That is why we needed a real plan by the President, not a half-baked plan.

No. 2, the Joint Economic Committee found that approximately \$71 billion in housing wealth will be directly destroyed—\$71 billion in housing wealth will be directly destroyed. There is another \$32 billion on top of that, \$32 billion in housing wealth that will be indirectly destroyed by the spillover effect of foreclosures which reduce the values throughout a neighborhood.

States across the country will lose some \$917 million in property tax rev-

enue because of this crisis. The 10 States with the greatest number of estimated foreclosures, of course, are some of the larger States: California, Florida, Ohio, New York, Michigan, Texas, Illinois, Arizona, and my home State of Pennsylvania. I am sure the State of the Presiding Officer, Minnesota, is probably close to the top as well. But there are several others close to that ranking.

Finally, in terms of the findings of this particular report, on top of the losses due to foreclosure, this report also says there will be a 10-percent decline in housing prices, which would lead to a \$2.3 trillion economic loss.

We could go on and on about what the problem is, but we know there are some solutions on the table. I am one of the cosponsors, along with Senators SCHUMER and BROWN, of the Borrowers Protection Act, which imposes obligations on some of the players in this market who have not been regulated, frankly, have not been cracked down on, the so-called unregulated brokers and originators. This legislation, the Borrowers Protection Act, would do that looking forward, but also in the present context we have pushed very hard, and the Senate has already passed legislation—of course, the President, like he is about a lot of things, is talking about vetoing this legislation—in which we do have \$200 million set aside for foreclosure counseling, which a lot of families need and a lot of homeowners have a right to expect. There are some short-term and long-term things that we can do but, unfortunately, what the President and the Secretary did today does not meet that.

I want to conclude by quickly moving to another topic for just a few moments before my time is up.

NUCLEAR PROLIFERATION

Mr. CASEY. Madam President, to highlight something that was in the New York Times last Friday—it was Friday, November 30—at the bottom of page A12, in the midst of all of this discussion we have had in this country over the National Intelligence Estimate on Iran—and properly so that we debate that and discuss that—all of the discussion on crises and challenges in our foreign policies that threaten our national security, the ongoing debate about Iraq, in the midst of all of that, we see in the New York Times and other publications a headline that reads as follows:

In Slovakia, three are held in a uranium smuggling case.

What is this all about? Well, it is about what a lot of people believe is maybe the greatest nightmare we face in the country: that a small group of terrorists can get a hold of fissile material and create a nuclear weapon, any kind of even unsophisticated nuclear weapon or dirty bomb—however you want to describe the various types of weapons that can be developed—and explode it in an American city or explode