

She remained hospitalized for weeks after undergoing several surgeries. She will survive, thanks to a miracle, but doctors expect she will need a feeding tube the rest of her life. She is now on a list for transplant.

What happened to this little 6-year-old girl on a summer day in Minnesota is horrific. My own daughter's name is Abigail, and hearing about this incident brings chills to any parent. When I first saw the story in our local newspaper, I had to stop reading it because the details of it were so disturbing. This is something that we can prevent, and this is something that is every parent's nightmare. You look at this first as a mother: Your daughter is enjoying a beautiful summer day having fun playing at the local pool. This is not just the deep end of the pool. This was the kiddie wading pool. But suddenly something terrible happens and your life is changed forever. That is what happened to the Taylors.

When it was first reported, like everyone else, I thought it was some kind of a freak, one-of-a-kind incident. I never thought I would spend time talking about it on the Senate floor. I didn't think I would have to come to the Senate floor twice to talk about it, when, in fact, the bill that addresses this passed our committee unanimously and has already passed through the Senate years back. But then I learned this was not the first time this has happened. As it turns out, although most pools are safe and well maintained, this type of incident has happened too many times before, resulting in the death of several dozen children over the past 15 years.

It even has a name. It is called pool entrapment. It occurs when a child becomes stuck on a drain and is unable to escape due to the high velocity and pressure of the water that is being sucked into the drain. Another scenario occurs when hair or jewelry gets sucked into the drain, making it difficult for a child to pull free. According to the Consumer Product Safety Commission, the pressure on some pool drains can be as strong as 300 pounds per inch. In fact, several years ago, the Commission produced an educational video on this danger. It showed a muscle-bound man trying to pull a ball off a swimming pool drain using both arms and all of his might and he couldn't do it. The suction force was too powerful.

Two years ago, the Consumer Product Safety Commission issued a report saying it was aware of at least 27 deaths and many more emergency room visits and hospitalizations due to this entrapment. Most of these victims were children. It is unclear how many actual entrapment incidents there have been that have not resulted in death but instead severe injury because entrapment is a little known risk, and it is possible that many swimming pool drowning deaths or other injuries have not been classified as entrapment.

This legislation must pass. The legislation has several important provi-

sions. It would take the Consumer Product Safety Commission's standards for pool drains, which are now voluntary, and make them mandatory. It would prohibit the manufacture, sale or distribution of drain covers that do not meet the standards established by the Commission.

Most importantly—and this was an enormous improvement over the past bill that this body passed years ago—it requires that all public pools in this country, including hotels, apartments, local municipal pools, and other pools intended for multiple users be equipped with antientrapment drain covers. These covers are something like 30 bucks apiece. This was the amendment I introduced on behalf of children such as Abbey, and I am proud it has now been included in the bill.

In addition, we have an agreement on another provision that would require that all of these public pools with single-made drains incorporate an additional layer of protection to guard against suction-related drowning. Again, this is about \$130 we are talking here—not about private pools but about huge public pools that are used by thousands and thousands and thousands of children.

This legislation is called the Virginia Graeme Baker Pool and Spa Safety Act, named in the memory of 7-year-old Virginia Graeme, who was a granddaughter of former Secretary of State James Baker. I talked to Secretary of State Baker just about a week ago, and we both concur in our frustration that while this legislation has huge bipartisan support, it is being held up by one of our colleagues, someone on the other side of the aisle, someone who I think has said he wants to work with us and wants to get this through, but we have been so far unsuccessful, despite several efforts. I talked to James Baker. But just as importantly, every other week I talk to the Taylors, and they always ask me if we have gotten this legislation passed yet.

Now, what do you say when you talk, as I do, to the father of this little girl, Abbey Taylor, who continues to struggle in the months that have passed since losing her intestines? Do you tell them that, well, we passed it unanimously through the committee, but now it is stuck, that one person is able to hold up a bill that 99 other people support? These parents are so courageous that they have moved on from that, and they even want her severe injury discussed today. They wanted me to discuss this. They want the world to know what happened to her because they don't want it to happen to another little girl again. They are not afraid to have us talk about what happened to their little daughter because they want it to never happen to another child again.

There is a saying that when an accident happens that could reasonably have been prevented, then it is not really accurate to call it an accident. It is actually a failure. In the case of

injuries and deaths caused by pool entrapment, it is not a failure by children or their parents. They have a reasonable expectation to think their child can go into a public wading pool and not lose their intestines. It is really a failure of our country, of our product safety laws, and we all have to take responsibility for it, just as we have to take responsibility for these toxic toys that shouldn't be on our shores and in our stores, which is something else that we need to get done before we go home for the holidays. It is a failure, whether it is about the toys or whether it is about these pool drains. It is a failure that is within our power to correct, a problem that can be faced through reasonable measures and fixed by legislation.

I think the fact that Senator STEVENS supports this bill and has worked with us on it and the fact that we have Republican support for this bill shows this isn't some whacky legislation. We worked with people on both sides. We worked with the manufacturers. We worked with the consumer groups. We came up with a reasonable bill.

So I ask my colleagues: What am I supposed to tell this dad when I talk to him tonight? Am I supposed to tell him that some rules in the Senate say that one person can hold up a bill against the will of the entire body? I don't want to tell him that. I want to tell him we were able to work this out and get this bill through and to make sure no other parents are sitting in a waiting room in a hospital for weeks while they are trying to find out if their daughter is going to live or if there is going to be a transplant for their daughter. I want to tell them this isn't going to happen again.

On behalf of Abbey Taylor and the Taylor family and for the health and safety of all of our children, I urge the Senate to take quick action to pass these simple consumer measures that are before us; to pass the measure about the toys, to pass the measure about the pool drains. We are dealing with huge issues in this body: the war in Iraq, foreign intelligence, we are talking about the farm bill, and we want them to pass. But these consumer bills can actually have an impact immediately in a little child's life. So let's go back and get this done.

Thank you, Mr. President. I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FILIBUSTERS

Ms. STABENOW. Mr. President, I come to the floor today with great concern and frustration, as I know my colleagues in the majority feel, about the

fact that as we continue to work hard to make the changes our American families wanted to happen to improve their lives, we are stopped over and over and over again.

I have a running chart, as my colleagues know. As of this afternoon, we are now up to 57 Republican filibusters. Tomorrow, we will be voting on cloture again, and it will then be 58 and then 59.

So we find ourselves in a situation that is, first of all, historic in that the top number of filibusters ever recorded in the Senate for a 2-year session is 61; 61 times there were filibusters within a 2-year period. Now, in less than a year—and we are not even done—we will probably hit 61 before we leave. But we are at 57 times that the Republicans have filibustered to stop us from making progress, from solving problems, from getting things done that the American people, American families are desperate to have done.

We look at the fact that we have tried to change the children's health care policy to cover 10 million children in this country—in that case, we have bipartisan support, and that is the way we ought to operate. The children's health care plan is an example of the way we ought to work together. I commend my colleagues on both sides of the aisle. In that case, we have the President doing the blocking. So when we talk about children's health insurance, our colleagues on the other side of the aisle got a lot of pressure for working with us and doing the right thing, to add 10 million more children to be able to receive health insurance. Working families who are working one, two, and three jobs don't have health insurance. But we have worked together. Even though we could override the Presidential veto here, they could not get enough Republican votes in the House. We want to get children's health insurance done.

We have been working very hard and have a majority of Members to change the policy in Iraq, to get our brave men and women out of the middle of a civil war, and to be able to change the policy to one that will directly affect the threats facing Americans, to address what we ought to be doing in the world to keep us safe, change that policy, redeploy, bring our people home and out of harm's way, out of a civil war. We have a majority of Members who voted with us to do that. But we could not get that policy done—we have not yet, but we are going to keep trying; we are not stopping.

But filibusters over and over again have blocked us from making the change we need in Iraq—troop rota-

tions, protecting our troops, and being able to make sure that if they are deployed for 12 months, they can have 12 months at home and be able to rest and see their families and have retraining. Senator WEBB brought forward an amendment that says to our troops: We understand what is happening, and if we are sending you on one deployment and two and three redeployments, we ought to be following the current military policy of having the same number of days at home as we have you in harm's way in the theater.

We have a majority of the votes. We have a substantial majority of votes—56 votes or 57 votes—to change the policy to support our troops. Yet we have filibuster after filibuster after filibuster, taking 60 votes to stop. We have not had enough Republican colleagues join with us to stop those filibusters. Tomorrow, we are going to vote on whether to end a filibuster.

I am amazed, as a member of the Agriculture Committee—and proudly a member. When everybody thinks of Michigan, they think of automobiles, and we are proud of that, too, but our No. 2 industry is agriculture. I am very proud to have worked with colleagues in a bipartisan way to have a bill developed that is terrific for Michigan. It provides not only support for traditional commodities and agriculture, but it moves us to alternative energy. We want to be saying in Michigan: Buy your fuel from Middle America, not the Middle East.

The Agriculture Committee put forward a farm bill that moves us in that direction. It addresses nutrition and more opportunities for children in schools to have fresh fruits and vegetables, conservation—there are provisions in there that affect the Great Lakes which I am proud to have included. We have fruits and vegetables, for the first time, recognized as half of the crops we grow as a permanent part of the farm bill. You would think people would be raring to go to pass this new policy that improves or provides reforms and moves us in a direction to reflect a better future for rural America and fuel security.

This is our third week at least that we have seen filibustering of the farm bill. Tomorrow, we will have a vote on whether that filibuster will end. We will see what happens and whether we will go from 57 filibusters to 58 and then 59 on the Energy bill. The reality is that we have important work to do to support rural communities in Michigan and across the country, to address energy needs, alternative fuels, biofuels, to address nutrition for our children and families, to support traditional agriculture that is working very

hard and providing us with the food we need, the food security we need for this country. This farm bill does that.

I applaud our chairman, Senator HARKIN, for his efforts, and all those involved, including Senators CONRAD and CHAMBLISS and all who have worked together on a bipartisan basis. Even though we have a bipartisan basis, unanimous support in the committee, we come to the floor one more time.

The big strategy on the Republican side is to just stop change, stop, stop, stop, block anything from happening. What we are seeing—I am assuming it is pretty clear what the strategy is—is the White House working with the leadership on the other side of the aisle to make sure we cannot get things done for the American people, stopping us from moving forward. It is also clear that, hopefully, after next year's election, we will have a few more folks on this side of the aisle so we can move forward on those things we have had trouble moving forward on right now. They are certainly making the case for more change and more additions to the majority in this process.

We have also seen another critical area that we are all reading about and hearing about from constituents—certainly, I talk to people every single weekend when I go home, as well as during the week here—and that is the question of the mortgage crisis, what is happening in the housing industry, not just the subprime but in the prime housing market, and what is happening across the country. We see the White House is finally engaged, and we are glad to see that. We hear that we need to take action, and we have a tax issue I sponsored to make sure folks not only don't lose their home but don't get a tax bill on top of it. But we hear from Secretary Paulson and others that the FHA is important—FHA modernization, passed by the House—an important part of getting more capital in the marketplace.

We have too many families now who have lost or will lose their homes. For most families, middle-income families who buy a house try to get it in a spot where they can have good schools. For most families, the equity in their homes is their primary savings.

We hear that FHA modernization is important to do. Our leader, Majority Leader REID, came to the floor a couple of weeks ago and asked unanimous consent to go to that FHA modernization bill which the administration says they support and they are urging us to pass. It has passed in the House. Yet when our leader comes to the floor, recognizing as he does that he represents a

State heavily hit as well on the question of foreclosures, and asks unanimous consent and one more time, the leader on the Republican side objects.

All we see are efforts to stop changes that are critically important for the families of America, the economy of America, the businesses of America to make sure we can keep the middle class of this country and keep the middle-class American dream alive. That is what we are all about.

I thought it was stunning yesterday when, again, the Republican leader came to the floor saying nothing is getting done, nothing is getting done. Then Senator MURRAY, who chairs so ably our Transportation and Housing Appropriations Subcommittee, asked unanimous consent to take up this critical bill that relates to infrastructure. We have bridges in Minnesota and other places around the country—we certainly have all seen the pictures from Minnesota, what happened in Minneapolis with the bridge collapse. Certainly that would be a priority. I know it certainly has been a priority for Senator KLOBUCHAR, who has spoken eloquently and has made sure there are resources and help for her State. One would think that after a long speech about how nothing was happening in the Senate that our Republican colleagues would welcome Senator MURRAY coming to the floor to move forward on this important bill, written in a bipartisan way, passed by the Senate to bring forward the conference committee report on housing and transportation, a bill that includes dollars, again, that the administration says they want and support—\$200 million for education and for consumer outreach to help those who are in bad loan situations, who face resets or foreclosures next year, to have the opportunity to sit down and work out a different mortgage situation to refinance.

I applaud Secretary Paulson for setting up a 1-800 number and wanting to reach out to help those families. We have \$200 million in our budget which the administration says they support. Yet when Senator MURRAY comes to the floor as chair of that effort, again what do we hear? “I object, Mr. President.” “I object, Mr. President.”

One more time, we are in the middle of a mortgage crisis, affecting not only our families, not only middle-class Americans all over the country, but it is now rippling out to the entire economy. Yet when our leader comes to the floor, when our leader asks to move forward on those issues that we can do together now, we get: “I object, Mr. President.” We get another filibuster.

I don't know who is advising the White House and the Republican leadership on this strategy, but sooner or later this is going to catch up with them when they are objecting to the changes that are needed to improve the lives of middle-class Americans, whether it be help in a mortgage crisis, whether it be children's health insurance, whether it be helping rural Amer-

ica in addressing our alternative energy needs, a farm bill, whether it be supporting our troops, changing the policy in Iraq—I could go on and on.

I should mention we are finding the same thing as it relates to trying to get a budget for this coming year to stop a cut in physician payments through Medicare which we have to get done.

Our chairman of the Finance Committee is leading this effort and is strongly committed to fixing this policy that would provide cuts and wanting to advocate we not do it just for next year but 2 years, as well as a number of other things we need to do with Medicare. We are struggling right now to make that happen.

On the appropriations front—and this is stunning to me—we see a situation where on the one hand, the administration is willing to spend \$12 billion a month and counting in Iraq, not paid for, going right on to the deficit. I have a beautiful new granddaughter, my first grandchild, and she is going to help pay for that deficit. All the kids being born today will help pay for that huge deficit that has been created. And that is OK, according to the administration, that is OK. They want more money and they do not pay for it, do not budget for it—more money. But when we put forward a modest 2-percent increase in investments for America, to restore some of the cuts that the President has made in community policing or in health research, education funding, in those items that invest in American families, American communities, just a 2-percent increase, the President says: No, too much. He is willing to take us to the brink of a Government shutdown, but a 2-percent increase for America? Too much. Mr. President, \$12 billion a month in Iraq, not paid for—paid for by our kids and grandkids that is OK.

We find ourselves once again with filibuster, filibuster, filibuster on the Republican side, stopping us. Now we are back saying: OK, in order to get appropriations done for this year, we will split the difference. Instead of a 2-percent investment increase for American communities and families, we will say 1 percent, which is less than we spend in Iraq, \$11 billion less than we spend in 1 month in Iraq, and we hear that is also not supported.

It is time we focus on what needs to be done to make sure those working hard every day, who care about their families, who want to make sure they have a job, have health care, and have the great American dream, send the kids to college, have the support they need. That is what we are about. That is what we are about—fighting for those folks who work hard every day who care about their kids. They want to see a change from what has been happening, and that is what we are fighting for.

I close indicating there is good news. I see my wonderful colleague from Rhode Island, who has been a champion

for us as it relates to changing the policy in Iraq and supporting our troops. This must be a “Rhode Island moment” because we have the distinguished junior Senator from Rhode Island presiding, of whom we are so proud. I see his senior colleague here as well.

In conclusion, I paint a very bleak picture, a very frustrating picture, and we feel it every day. Nobody feels it more than our leader, who is laser focused on getting through all of this obstruction to get things done for the American people.

But the good news is, in spite of 57 filibusters, we have gotten things done, and we will continue to get things done. It may take twice as long. It may take 100 filibusters, it may take 150 filibusters, but we are not going to stop because what is at stake is our American way of life. What is at stake is the ability for families to enjoy the American dream.

We have raised the minimum wage for the first time in a decade for our families. We have made college more affordable by passing the largest student financial aid package since the GI bill. My dad went to school after World War II on the GI bill, and I know he would not have been able to go to school without it.

I am proud that on our watch in this new majority we have put in place changes that will allow more young people to have that American dream, to be able to go to college, and to be able to come out of college without the kind of debt that weighs one down for years and years. We want to help them with that.

We passed finally on our watch—and this happened quickly; it has not happened since 2001, but on our watch, we passed the 9/11 recommendations, to focus on the real threats, to keep us safe. I am proud of the fact that a provision I have been very involved in, making sure radios work, radio interoperability, has been included so we can support our police and firefighters, so they can talk to each other, so we do not have again a situation where brave first responders are running into buildings, running into towers they should have been running out of. We got that done.

We passed a very important water resources bill that has been languishing here for years. Coming from a Great Lakes State, this is important to us. I commend Senator BOXER and all of those who worked, again, on a wonderful bipartisan basis—she and Senator INHOFE—in putting that bill together.

In the Judiciary Committee, sometimes we do business that is not legislative, it is oversight. We have done a lot of oversight on Iraq policy, on no-bid contracts, on Blackwater, and private contracting, in many areas where there had been no oversight for years. Our people have aggressively, as chairs of the committees, been doing oversight.

One area that has resulted in change that was needed were the hearings with

the former Attorney General that focused on the fact that our U.S. attorneys did not have the independence they needed. They were being used politically. The change occurred when the Attorney General was forced to step down. We have made a major step forward in preserving the independence of the U.S. attorneys.

There are numerous other issues I could mention, and I will not. Suffice to say, we are getting business done. We are getting results for middle-class Americans every day. Evidently, all of our hard-working results have raised a red flag down at the other end of Pennsylvania Avenue. They said: Whoa, whoa, whoa, you are making too many good things happen, too many changes happen that families are going to like, that American people are going to like. We better slow this thing down.

So now we are in a situation where even those efforts we have worked on in good faith on a bipartisan basis—that is what we do here. We cannot get anything done if we don't work together, people of good faith working together. Even those issues have been slowed down and stopped because it is felt now that the best thing to do is to make sure the Democrats cannot make any more positive changes happen so it is clear the differences in values and priorities among this administration and their supporters and the new majority.

Fifty-seven filibusters and counting. The American people expect us to stop this situation. This needs to stop. Enough is enough. There is a lot of work to be done, serious work. The American people expect us to do it, and we are committed to getting it done.

I yield the floor.

The PRESIDING OFFICER. The distinguished senior Senator from Rhode Island is recognized.

MORTGAGE LENDING CRISIS

Mr. REED. First, I thank the Senator from Michigan for her kind words and also for her tremendous leadership as the leader of our Democratic caucus on so many issues, and a great representative of her State of Michigan. I thank the Senator.

Today, Mr. President, the Bush administration announced a proposal to help stem the burgeoning crisis in foreclosures across this country. It is a welcome step, but it is a very timid step. It is one that is long overdue, in my estimation. This crisis has been evolving over many months, and the White House and the Treasury have taken a very long time to get to this moment and to propose this plan. And it is cautious plan, and only a partial approach to a very complicated and very dangerous problem.

The problem is dangerous in the sense that millions of American homeowners are facing the peril of losing their homes to foreclosure because of the exotic mortgages that were sold to them with low introductory rates and

now are being triggered to reset to relatively high rates, forcing many people to make the choice between giving up their home or giving up everything else to pay for their mortgage. That is the human aspect. And we are seeing it in our home State of Rhode Island, Mr. President, a record number of foreclosures, page after page in the newspaper of homes that are going to be foreclosed upon.

This has an effect not only on the individual family but on the community as a whole because as homes are foreclosed in a neighborhood, they lower the value of the other homes. It has a ripple effect.

I was meeting just a few weeks ago with the mayor of Central Falls, RI, who pointed out the increased number of foreclosed homes in his community, and also the mayor of Pawtucket, who has seen a significant increase in foreclosures. This goes right to the fabric of a community. So on the individual family level, on a community level, and now on a nationwide, indeed, global level, this liquidity crisis, this crisis in credit, is threatening the ability of our economy to function efficiently, to provide resources, credit, and loans not just to homeowners, but to industry and business as well.

So the White House acted today, and I applaud their action, but it is timid. The proposed plan will only address a very small fraction of the foreclosure problem, and the Administration has yet to talk about and deal with the larger issues of economic growth and continuing an adequate supply of credit in our economy.

According to Treasury officials, and an analysis that has been done by financial institutions, this initiative will help about 200,000 people. But the reality is there are millions of Americans who are facing the danger of foreclosure. This 200,000 is just a small fraction. It is better than zero, which was the President and the administration's position just a couple of months ago as they worked on this, but it is not adequate to the daunting challenge of the foreclosure crisis which is facing America today.

Indeed, the plan itself relies on a very complicated and, indeed, convoluted process. There are two classes of inquiry. First, they have to determine if the borrower is eligible for this relief, and then they have to go through another analysis to determine what type of relief the borrower would be eligible for. In addition, it appears the borrower is in the position of having to contact their lender or servicer if they would like to figure out if they are eligible for a loan modification. This is not the responsibility of the lender or servicer. In other words, this is not a systematic approach to relief. This is rather a case by case approach, involving very elaborate procedures which I don't think will in effect reach all the eligible homeowners who are in danger of losing their homes. I think this approach is backwards. It should

be the obligation of the lenders and servicers to reach out to the borrowers who are in danger of default, to help walk them through the process. And it should be a much more efficient process.

Today the President offered an 800 number to borrowers, but there are a profusion of 800 numbers, all the way from buying a salad maker to buying an exercise machine. I don't think an 800 number is going to be able to engage people who are fearful about losing their homes and actually get them involved in this process and keep them involved. So I think this is a shortcoming in the approach, which is already a limited approach.

Finally, this plan has not been ratified and accepted enthusiastically by all of the important investors and the other industry players. The final plan was characterized as an agreement with the HOPE NOW industry coalition. This coalition consists mainly of trade groups and has no real ability to implement the plan. They are not the spokesperson for all of the people who will actually have to do the work, and the list of members seems to be a partial list at best.

So for many reasons this plan is really just a set of guidelines regarding how the Administration would like to see part of this problem worked out but does not have the action-forcing devices and the incentives for the servicers, the lenders, and all of the people who really can make this work to go out and put it into effect.

We need to do much more, and there are several things we should do. We need to do much more because this is a burgeoning crisis. I can recall last April convening a committee meeting, as I chair the Subcommittee on Securities, Insurance and Investment, and we had witnesses from some of the major investment banks in New York City and the rating agencies. We had individuals who were facing the problem of foreclosure, and at that point industry was describing this as a rather narrow, self-contained crisis pertaining only to subprime mortgages. They talked in terms of this being about a \$19 billion problem, which in a worldwide economy is not a staggering amount of money. It is to you and I, but not in a worldwide economy. And they also essentially said, well, this is over. The market has already corrected itself.

It is not over. It is now spilling over into other forms of securities. It is now eroding, as I suggested initially, because of psychological factors as well as financial factors, confidence in the overall banking system and the economy's ability to function.

In the newly released Mortgage Bankers Association National Delinquency Survey, the rate of loans entering the foreclosure process was approximately .78 percent. That is up 32 basis points from 1 year ago. This is a problem that is growing. This is not at all a self-contained problem. This is a growing problem. This is the highest