

to the immediate consideration of H.J. Res. 72.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 72) making further continuing appropriations for the fiscal year 2008, and for other purposes.

Without objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the joint resolution be read three times, passed, and the motion to reconsider be laid upon the table, and that any statements be printed in the RECORD.

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

The resolution (H.J. Res. 72) was ordered to a third reading, was read the third time, and passed.

FEDERAL ELECTION COMMISSION NOMINEES

Mr. REID. Mr. President, the Republicans have taken the very unusual step of objecting to a majority vote on their own nominee, Mr. Hans von Spakovsky. I offered them that option. The option was rejected. Mr. von Spakovsky is a very controversial nominee, but I said: Let's have a vote on him. Now, remember, we are not asking for 60 votes. We say: Have a simple majority vote. By that action, not accepting that offer, the Republicans are blocking the Senate from ensuring that the Federal Election Commission can function at perhaps the most important time—during a Presidential election year. What they have done will ensure that the FEC is unable to enforce the new ethics bill we enacted. The agency is in the midst of rulemakings on that law.

There are two conclusions I draw from the objections of the Republicans: First, even Republicans find Mr. von Spakovsky so objectionable that he would be defeated on a majority vote; and second, facing possible defeat for their own nominee, the Republicans would prefer to hold the remaining three unobjectionable nominees hostage and render the FEC unable to function in the next election.

We have offered them a majority vote. We said: We will take a position, a majority vote on all three. They said: No, now we want 60. So the FEC will be unable to function during the next election.

Both the New York Times and Washington Post recently editorialized about the absolutely critical importance of ensuring we have a functional FEC during a Presidential election that promises to bring record sums of money into our political system. Democrats agree. We are prepared to have a majority vote on each of the nominations. But this nominee has been controversial since the President recess-appointed him almost 2 years ago. That controversy stems from his

well-documented work as a Justice Department lawyer in the Voting Rights Section.

The Republicans say he is a person whose work on matters that suppress minority voting, such as voter ID and the Texas redistricting, has nothing to do with his responsibility at the FEC, which we feel bordered on illegality, if not being unethical. Work on matters to suppress minority voting has everything to do with the Federal Election Commission. So I take issue with their statements that it means nothing.

The problem my colleagues and I have with him is that his prior work demonstrates that he is at least a partisan manipulator of our Federal election laws. That, it seems to me, is highly relevant to the advice-and-consent duty the Constitution puts in our care as Senators, but that is a decision each Senator in this body should be permitted to make. We are not going to be able to do that. Republican action today prevents us from making it.

Remember, a simple majority vote on their nominee, but they want 60 votes on ours.

It is important to note how we got here and the concessions that have been made on our side.

His history, not surprisingly, led to a number of Senators on our side of the aisle, Democrats—we imposed a 60-vote threshold on the nomination. We originally wanted 60 votes on this nomination. On the other side of the aisle, Republicans demanded that the Senate only consider the nomination of the remaining three noncontroversial nominees if he was confirmed by the Senate. These two positions could not be further apart. In view of that impasse, I have long suggested that the White House withdraw his name and substitute a new name of the President's choosing. Despite this, the nomination has endured.

As the days ran short in this session, my Democratic colleagues indicated to me that they would reconsider and allow a majority vote on each of the nominees. That resulted in my ability to make this offer to Republicans of a majority vote, and I thank my colleagues for their work with me in this regard. I appreciate very much that we could have a 50-vote margin on this controversial nomination and on the rest. That work should have meant that the FEC would continue to function. The Federal Election Commission will not be able to function. It should have meant that campaign finance laws would be enforced in the next election. It should have meant that the FEC would be able to complete its new binding rules as it relates to bundling, but it will not because Republicans have obstructed a vote on these nominees, including a vote on their own.

The Republicans seek confirmation even though a majority of Senators may not support that nomination. That, it seems to me, is truly extraordinary.

A lot has been said about the precedents of FEC appointments. A Repub-

lican Senator came out here yesterday and said there is precedent for this. Arguments made yesterday are that essentially FEC nominations always move as a package, always move together. But that is, of course, simply not true. It is true that FEC nominees have usually moved as pairs by unanimous consent, and that pairing of nominees is generally a rule on all boards and commissions: Here is a Republican, here is a Democrat; let's get it done. We do not need a lot of time on the floor. That is a fact, not by reason of precedent as much as by reason of necessity. Nomination pairing occurs because it gives both sides a reason to come to the table and confirm nominees.

There are also cases of FEC nominees not moving together by unanimous consent. One recent case is that of former FEC Commissioner Brad Smith. Mr. Smith was very controversial on our side of the aisle and required a roll-call vote, which he got. He succeeded in winning confirmation.

There are also cases I have known where a Republican President did not respect the Democratic selection of an FEC nominee. For example, President Reagan refused to send the Democratic selection of Tom Harris because the Republicans objected to his nomination.

These different examples do show there is no single precedent about how nominations are handled. As is so often the case of nominations, a lot depends, as it should, on the actual identity of the nominee in question. I do think, however, that as a rule the offer of a majority vote on a nominee is presumptively fair. If the nominee is so controversial that he cannot win the support of a majority of Senators, the Constitution and the rules of this body dictate the appropriate outcome for that nominee.

It is my hope that my colleagues on the other side will reconsider this position. I would hope this White House would reconsider their support for this controversial nomination. If they do not, the responsibility for a defunct FEC rests squarely on their shoulders.

DEMOCRATIC ACCOMPLISHMENTS

Mr. REID. Mr. President, we have reached the end of a long, hectic, at times contentious and frustrating but unquestionably productive first year of the 110th Congress.

We welcomed back our friend and colleague, Senator TIM JOHNSON, who has made an extraordinary recovery, and we were so happy this week to see him walk in the Senate Chamber.

We lost a friend in Craig Thomas, said hello to his successor, Dr. JOHN BARRASSO, and said goodbye to Senator TRENT LOTT last night.

We held an unusual three Congressional Gold Medal ceremonies, three of them this year. That is very unusual.

We honored the Tuskegee Airmen for showing America that valor is color-blind.

We awarded a Gold Medal to Dr. Norm Borlaugh for putting food on the tables of billions of people—not millions but billions. This scientist figured out a way to grow a lot of food very quickly.

The Dalai Lama was awarded the Gold Medal for planting seeds of peace throughout the world.

Of course, we tried to address the major issues that affect us at home and abroad. Although these efforts occasionally ended in frustration, the record will show we also made real progress on behalf of the American people in spite of the fact that yesterday the record was broken—62 filibusters in 1 year; in 1 year, they broke the 2-year record. The record previously was 61 filibusters in a 2-year period. Yesterday, it was broken in a 1-year period.

But as we return home to spend the holidays with our families and constituents, all 100 Senators can say with confidence that we have taken steps to make our country safer, stronger, and more secure—I guess after last night, with Senator LOTT's resignation, all 99 of us.

This Congress put working families first. We passed the first increase in the minimum wage in a decade to get the hardest working but least paid Americans more to make ends meet. Remember, 60 percent of the people who draw minimum wage are women, and for the majority of those women, that is the only money they get for themselves and their families.

We passed a bill to help Americans avoid foreclosures and keep their homes. According to RealtyTrac, Nevada has seen 47,000 foreclosure filings this year alone. This legislation is desperately needed.

We invested in community health centers, high-risk insurance pools, and rural hospitals to give lower income Americans a better chance for healthy lives.

We passed—and I was with the President as he signed it at the Department of Energy building today; he signed a landmark energy bill which will save consumers money on their heating bills, lower gas prices, and begin to stem the tide of global warming. For the first time in 32 years, we have increased fuel-efficiency standards—extremely important. We could have done better. I am happy we got this done. We were one vote short because we could not get another Republican, one vote short of passing legislation dealing with energy that would have been so wonderful. It would have given long-term tax incentives for our great entrepreneurs in America to invest in solar, wind, geothermal, bio. But we will be back in the next few months and try that again. I feel confident that we will pick up another vote.

We also have invested in education with funding for title 1, special education, teacher quality grants, after-school programs, Heat Start, and student financial aid—the most significant change in higher education as it

relates to keeping kids in school and letting them go to school since the GI bill of rights. On higher education, we believe that all children, regardless of the wealth of their parents, should have an opportunity to go to college.

This Congress also made our country safer.

After 3 years of inaction by the Republican-controlled Congress, we finally have implemented the recommendations of the 9/11 Commission, which helps secure our most at-risk cities. It gives our first responders the communications tools they need in an emergency and improves oversight of our intelligence and homeland security systems.

We provided funds to replace the equipment our National Guard and Reserve have lost because of the war in Iraq.

We secured permanent funds for western wildfires and other disaster relief that makes our country safer.

This Congress has supported our courageous troops with more than words but action. Despite the President's opposition, we gave every man and woman in uniform an across-the-board 3.5-percent pay raise. We provided much needed funds for body armor and other protective gear to keep our troops safe during this combat that they fight in Afghanistan and Iraq.

We exposed the awful neglect at Walter Reed and other military health care centers. We passed the Wounded Warrior Act and other legislation that ensures the veterans receive the physical and mental health care they need.

A fair reading of the RECORD will show that we have not accomplished everything we had hoped. This was not for lack of effort by us. On issue after issue, a majority of the Senate expressed support for change, only to be thwarted by Republicans in the minority wedded to business as usual, the status quo.

On Iraq, a bipartisan majority of Senators consistently supported changing course. Like the American people, this majority is saddened to say that after nearly 5 years, nearly 4,000 American lives lost, more than 30,000 wounded, and some say as much as \$800 billion spent, there appears to be no end in sight for the Iraq war. But last night, I think we showed that even Republicans are losing support for this war. The President asked for \$200 billion; they got \$70 billion. So even the Republicans understood that the President should not have a blank check.

Unfortunately, the President still refused to heed the call of the American people to responsibly end the war, as Republican supporters in Congress continue to stand by him. On more than 40 separate occasions, the President's supporters denied the Senate from even voting on a change in course. Only once did they step aside and let the majority speak, and on this occasion the President wielded his veto pen and halted our efforts to begin a phased re-

deployment of our forces from Iraq so we can focus on those who attacked us on September 11, bin Laden and al-Qaida.

Just today, the Washington Post reports that the people of Iraq believe they would be better able to reconcile the nation without our combat presence.

A major story in the Washington Post today pronounced that the Shias and all their different sects, the Sunnis and all the different Sunni sects, and the Kurds, all agree that the invasion is the problem in Iraq today. We are an occupying force. I quote: The Iraqis believe our presence "is the primary root of the violent differences among them and see the departure of 'occupying forces' as the key to national reconciliation . . ."

This has been clear for a long time, and the President should start listening. The war will soon be starting its sixth year. Even as the war rages on, this Congress has made a difference. Before Democrats took control of Congress, the President's Secretary of Defense was named Rumsfeld. He and the Bush White House and the Cheney White House conducted the war with total impunity. No dissent was tolerated. The patriotism of those who raised questions was attacked openly. Billions of taxpayer dollars were given to companies such as Halliburton with little or no accountability. But this year, Democrats have fought the President's recklessness in the harsh light of day. We forced the President to set benchmarks for legislative and political progress and required regular reports on whether these benchmarks were being met, which has shown that the surge has failed to reach its main objective—as set forth by the President, not us—political reconciliation. We compelled General Petraeus to testify. He has said repeatedly the war cannot be won militarily; it can only be won politically. We brought to light the Blackwater controversy and have begun to untangle the web of massive financial mismanagement in Iraq that has cost American taxpayers dearly.

Do I feel enough has been done? Of course not. Too many Republican Senators continue to fall in lockstep with the President on the war. It is frustrating for all of us who so desperately want to change course. The Iraq war has not been the only source of frustration. Bush-Cheney Republicans have set an all-time record for obstruction. They have almost made a sport of it. If my Republican colleagues had reached across the aisle to work with us more often, as we tried to do with them, they would have found us willing and eager to find more common ground.

Children's health insurance, about 15 million people have no health insurance in the country. But sadly, some of those people are little people. They are children. What we tried to do and did do on a bipartisan basis—and I appreciate my Republican colleagues for sticking with us—we passed twice a

children's health initiative that the President vetoed, a bill that would give 10 million children the opportunity to go to the doctor when they are not feeling well or even maybe for a check-up. They would have a place to go if they were in an automobile accident or some injury was suffered. The President vetoed that. So what do we have now? We have 5.5 million less children who have more limited benefits than we would have given them. Instead of 10 million children with a very nice insurance policy, we have 4.5 million children with a bad insurance policy—better than nothing but not a good one.

It is my goal for the coming year to redouble our efforts of finding common ground. I am hopeful my Republican colleagues will join us. I believe this year's session will be remembered more for progress than setbacks. Yesterday Senator MCCONNELL said: "We have come to a very successful conclusion of this year's Congress."

I agree and thank my Republican counterpart for those words. He and I have gone through some difficult times this year. The Senate has gone through some difficult times. Senator MCCONNELL and I have criticized each other at times, never personally but on a political basis. That is how it is supposed to be. Senator MCCONNELL has been at all times a gentleman. I have done my best to reciprocate.

I thank my 50 Democratic Senators I have the honor of being able to be the leader of for entrusting me with the office of majority leader. I am grateful for the opportunity to be a Senator. I am grateful for the opportunity to be the leader of these 50 wonderful men and women. I will continue to do the best I can during the next year, recognizing my failings and weaknesses, but also working on what strengths I have to the best of my ability.

I also take an opportunity to thank this staff, the people before the Presiding Officer, who do everything they can to make us look good. They work so hard. Some of us got home by midnight last night. Many of these people were here much later than that. When we get here in the morning, they are here earlier than we are. These are people who do all kinds of different work. I have been in Congress for 25 years. I don't understand all of what they do, but what they do makes our jobs meaningful and successful.

As we speak, we have plainclothes police officers here to protect us from the evil people who are trying every day to infiltrate this beautiful building and do harm to us and this building. I was a Capitol policeman, very proud of that. I carried a gun for the U.S. Capitol Police when I was going to law school. I am always trying to recognize their good work on our behalf.

Without identifying individuals by name, I am so grateful for the help I get. But I would be remiss if I did not mention two people, and that is Marty Paone, whom I depend on every day I am here—there are few hours I am here

that I don't depend on him—and, of course, Lula Davis who runs this floor with an iron hand. I am not going to go through the entire staff, Trish and Tim and everybody, but I wanted to give special recognition to those two people who do so much for me on a daily basis. Then my personal staff: My chief of staff Gary Myrick, who works so hard and is separated from his family a lot more than he wants to be. That includes my entire staff, who devote long hours to me and the Senate and to our country. I am very grateful.

As I told my caucus today, these staff people are so well educated, so well trained, do so many different things. But they are interested in public service, trying to make this country a better place. That is what we are all here trying to do for our country. I wish every one a Merry Christmas and a Happy New Year.

I suggest 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. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, as we bring the session to a close, I want to spend a moment speaking about how far we have come this year. Our leader, who was speaking about accomplishments, is someone whom we should all be thanking for his leadership in bringing us to a point where we have been making changes that affect middle-class families all across America in a very positive way. There is a lot more to do. We are anxious, frustrated, pushing hard, because there is a lot more to do. But we have made a great start. We have made a downpayment on the change families are asking us to make. It has not been easy because we have seen an effort of continually trying to block change, of filibusters which are a way to drag things out, slow things down, stop things from happening. It is quite extraordinary.

In the past, the highest number of filibusters was 61 over a 2-year period. Our Republican colleagues actually beat that in 1 year, 62 different times running the clock out, slowing things down. It was extraordinary to me as a member of the Agriculture Committee—and the distinguished Senator in the chair is also a committee member as well—to see almost 3 weeks of filibustering on the farm bill, an effort to address food security and energy security and move us forward on farm policy. Fortunately, we were able to get beyond that. But we have been able to get beyond this extraordinary wall of objections over and over again because of the amazing and consistent and dedicated leadership of our leader and all of those in leadership, our committee chairs and others who have been so dogged and diligent about wanting change to happen.

I did want to particularly recognize Senator REID, who is more committed to our fight to maintain the American dream and quality of life for families and businesses and farmers and Americans all across the country than anybody I know. I thank him for that.

We have achieved tremendous gains. We have seen change happen. We have raised the minimum wage this year. We have created open doors in a real way for people to go to college—for low-income families, we raised the Pell grant twice this year—but also to make sure that middle-income students can afford to borrow at lower interest rates, cutting interest rates in half in order make it possible to go to college and have the American dream. We have passed so many different bills that address our safety and security and opportunity for families. There is so much more to do. But we are focused. As we come to the end of this year and we think about all of what is affecting families today, all the pressures that families feel, it is important to say one more time that we understand, we get it. We are working very hard because time is of the essence.

Frankly, there are things that should have been done that haven't been done. We are going to be right back at it in January.

I am proud of the fact that we have addressed one of the major concerns for families in Michigan and all across the country who face the loss of a home because of the mortgage crisis, because of predatory lending practices or other circumstances in which they find themselves in a situation of losing their home.

Last week on Friday we were able to pass FHA reform that will allow more people to get refinancing for their homes. This is an important step. I am pleased to have led the effort to make sure the law was changed so that if somebody loses their home or refinances below their mortgage value, they don't end up getting hit with another tax bill on top of losing their home. We have a lot of families right now who are coming up to Christmas. They don't have a place to put the Christmas tree. They don't have a home now, or they are worried about whether they will be able to have their home next Christmas. There are tremendous pressures that families are experiencing on all sides.

We have been able to take two steps to address that: one, to make sure that if a family finds themselves in that situation, they don't also have the insult of adding a tax bill to their economic crisis. That is great. I am very proud of that. I am proud we were able to work together with colleagues on both sides of the aisle in the House and in the Senate and the President. I commend the President for working with us on that issue. I am hopeful he will do more of that. We need him working with us on hundreds of things that will make a difference in people's lives. But I am pleased in this one area where we were able to do that.

People are feeling squeezed. As the distinguished Presiding Officer knows, people are feeling squeezed on all sides in their lives. Too many people are seeing their wages go down, if they have a job. They see their health care costs go up, their gas prices go up, their health care costs go up—all the costs—the costs of college going up.

One by one, we are addressing those issues. We are focused on making change happen, to help families working hard every day who want to make sure the American dream is there for their kids and for their grandkids, who love this country. They are people who love this country and say: Hey, what about us? Is anybody paying attention to us? The majority of Americans who are working hard every single day, following the rules, who love their family, love their faith, and want to know somebody is paying attention to their needs and their lives and their desire to have that American dream and to have the American way of life. So we understand that.

I am proud to be part of the majority that has made a commitment to address those things—whether it is bringing down the cost of college, raising wages, being able to address the costs of gas and energy; whether it is addressing food and nutrition and conservation and alternative fuels or the mortgage crisis.

The common theme for us is: Making change happen for middle-class Americans and those who love our country and want us to help them be able to keep that American dream, by having the rules be fair and having it make sense for them in this country.

TRADE ADJUSTMENT ASSISTANCE ACT

Ms. STABENOW. Mr. President, in a moment, I am going to offer a unanimous consent request to pass H.R. 4341, which is a 3-month extension of something called the Trade Adjustment Assistance Act. We call it TAA.

But first I wish to speak for a moment about this program, because when we talk about families, when we talk about middle-class families—people who love this country, who play by the rules every day, and want to know that they can take care of their kids and have a job and a home and all those things we want for our children—we have a group of people in this country who, through no fault of their own, have found themselves losing their job because of this global economy we have—something called trade, jobs being shipped offshore.

Certainly, I support trade. We all support trade. But I want to export our products, not our jobs. Back when the free trade laws were passed, NAFTA and others, there was a commitment made by the Federal Government to help those who are caught in the middle, who lost their job because of trade policy.

Their job goes away, and the Federal Government is the one passing these

trade laws. So the Federal Government said: OK, we are going to help people transition to new jobs, to be able to get the help, the support they need—some help for health care in the short run and be able to go back to college, go to community college, go to trade school, whatever they want to do to be able to transition, to be able to keep their standard of living, and, again, to keep their way of life.

We are in a situation right now where the Trade Adjustment Assistance Program will expire at the end of this year, and we have been pushing very hard for a simple 3-month extension. The House sent to us a simple 3-month extension of the current law until we can revise and update the law.

Now, I have to also say, I am very pleased, as a member of the Finance Committee, to be working with our chairman, to have joined him in introducing a very important bill to improve trade adjustment assistance, to be able to expand what we can do to more adequately meet the needs of workers and families and communities and small businesses that are impacted by unfair trade situations or the loss of jobs through trade.

But, right now, we have an immediate situation, an immediate situation going on that will affect thousands—tens of thousands, hundreds of thousands—of Americans across the country if this law expires. We have been doing everything possible to be able to simply get a 3-month extension. We did that once back in September—a 3-month extension. We are asking for another 3-month extension so we can pass this broader, more up-to-date law that will help more people.

When I think about this issue, it is something that is shocking to me, to think we would even have to be struggling with our Republican colleagues about a 3-month extension. I think about Greenville, MI, on the west side of Michigan, a town of about 8,000 people, who saw their Electrolux plant—they made refrigerators—that employed 2,700 people—they did a great job; they worked in three shifts; they were making a profit—but the company decided they could make a bigger profit if they moved to Mexico.

After a lot of discussion with the State, myself, and others in the Federal Government—how could we help them be able to stay—they said: Do you know what. You can't compete with \$1.57 an hour and no health benefits, no pension benefits in Mexico. So they left.

The people in Greenville, MI, have been counting on the Federal Government to keep its promise through trade adjustment assistance, to be able to help them pick themselves up and continue their lives.

This is not some theoretical debate. I know these people. I know people in communities all across Michigan who have been told: Gee, we are sorry this current race to the bottom in trade, where you go to the lowest wage

around the world, is affecting you. We are sorry about this, but at least there is the thing called TAA, trade adjustment assistance, that can help you.

Well, right now this is running out. It may not be there for new people who find themselves in a situation similar to the folks in Greenville. That is outrageous. When we think about the obstruction that has gone on, on this floor over and over and over again, the 62 different filibusters, the obstructions, the objections that have gone on, you would think, a few days before Christmas, the holidays—a time of charity and good will—we could come together, that our colleagues would join with us and simply allow a current law to continue for 3 months—just 3 months. That is it; just 3 months.

Unfortunately, our Republican colleagues have held this issue hostage over a totally unrelated issue. They have wanted to tie this to a dispute regarding the FAA. Certainly, the FAA is important, but they want to tie it to a dispute there and are blocking our efforts to simply move forward on a 3-month extension of something that directly helps working people in this country—families, communities. It helps families be able to stay intact, be able to move into this new economy, new world that everybody is talking about that involves a different kind of trade policy.

Our leader has offered that we will deal with trade adjustment assistance, a 3-month extension, but also address the unrelated Republican FAA proposal on its own, that both would be dealt with but dealt with separately. For some unknown reason, that was not acceptable. There has been a desire to tie them together and to object to proceeding on this very important effort to support families and to make sure nobody falls through the cracks come January 1.

That is the least we can do in the Senate. If this program expires, unemployed men and women all around America are going to be in a position to be denied the help they need to be able to continue on with their lives. Those who are currently involved in the program will be able to continue to receive help, but I can assure you, coming from a State in great transition right now, with thousands of people falling into that situation, where they need trade adjustment help, we have people who have been waiting and waiting and waiting and will find themselves in a situation on January 1 with no help.

This is not acceptable. This is absolutely not acceptable. It does not have to happen. There is absolutely no reason for this. We have a simple House bill in front of us—no secrets; very simple. Very simple: extend this critical program through Christmas, through New Year's. Get us into the new year so we can work out any other differences and let families be able to know we understand and we are not going to use unemployed men and