the Democratic side, have done an exceptionally good bipartisan job to move the rescue legislation forward here in the Senate. Their work continues as we speak. I will also continue to work closely with the minority leader, Senator McConnell, as well as our counterparts in the House of Representatives. We are all committed to keeping the progress on this rescue package moving forward. So in the coming days, I will continue doing everything possible to see that this dire and avoidable financial crisis moves to the best possible outcome and toward a future of stability and growth for our country. I am going to have a meeting within an hour with the Senators I have just spoken about on the Democratic side. They have extremely good contacts on the Republican side.

I wish to say, Mr. President, that I thought the statement made yesterday by JUDD GREGG was an extremely good statement. JUDD GREGG is the past chairman of the Budget Committee and someone both sides respect for his knowledge of finances. So I commend and applaud Senator GREGG for his statement.

I am hopeful and I am confident that all sides, House and Senate and White House, will work together to achieve a goal that will be good for the American people.

# RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized

### FINANCIAL CRISIS

Mr. McCONNELL. Mr. President, I think the majority leader set precisely the right tone. I, too, want to reassure the American people that we intend to pass this legislation this week. We will pass it on a broad bipartisan basis, both sides cooperating, to prevent this financial crisis from persisting.

The message from the markets yesterday was clear. The time for finger-pointing indeed has come to an end. As the senior Senator from Tennessee likes to remind us, this is not the time to fix the blame, this is the time to fix the problem. Those also are the words of Senator McCain, with whom I spoke yesterday, who is in exactly the same place as all of us are on a bipartisan basis

So we will get the job done, we will get it done this week, and I think, hopefully, that will reassure the American people that Congress can rise to the occasion—act like grownups, if you will—and get the job done for all of our people.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

#### TRIBUTE TO SENATORS

PETE DOMENICI

Mr. REID. Mr. President, a lot of people think they know Senator PETE

DOMENICI. They know him as a man who has been a leader in the Senate for decades on energy issues, and he was the chairman of that committee, and on budget issues, and he has been the chairman of that committee. He is a man who has been a leader on the Appropriations Committee. I have known Senator Domenici in that regard, as have the American people, but what I think is so interesting about PETE DOMENICI is a side that a lot of people don't know about him. Here is a man who can talk about Wall Street, he can talk about financial markets, he can talk about the budgetary problems facing this country, but in a personal, private conversation, he can talk about baseball.

Here is a man who was a star athlete. He was a great baseball player. As a young man, he played American Legion Baseball. I played American Legion Baseball, but PETE's team was good. Mine wasn't so good. PETE led his team to the regional championship.

American Legion Baseball used to be the baseball for young men.

They did not have all the State tournaments they had in high schools, so in the summer, the best athletes would get together, the best baseball players would get together and play American Legion ball, and the winter regional championship was significant.

Senator Domenici went on to letter all 4 years, of course, in high school. He was a standout pitcher for the University of New Mexico, and he was All Conference. His final year he had a record of 14 and 3. That is quite a record. In those days, when Senator Domenici was in high school and college, they would play a lot of games, as they do now. A record of 14 and 3 is a very significant record.

But that was not the end of his career. He went on to play professional baseball. After college he played for the hometown crowd as a left-handed pitcher for the Albuquerque Dukes. I know he must have had a great fastball and a great curveball to accomplish what he did in baseball. But in the Senate, Pete Domenici does not throw curveballs, it is the high hard one all the time. He is a person who tells people how he feels.

With my long-time relationship with Senator Domenici, I only had one problem my entire career with Pete Domenici. That was a time when—I, frankly, do not remember whether I was the ranking member of the subcommittee or the chairman of the subcommittee because we went back and forth often. That was the Energy and Water Subcommittee of Appropriations.

As a relatively young Senator, I had a position of power, and I thought what I would do is go and talk to members of that conference and get the votes. I did it very quietly. I did not say a word to Senator Domenici. I surprised everybody. I called for a vote unexpectedly and I won. Senator Domenici did not say a word to me there publicly. Well,

when that was over, we had a little heart-to-heart talk. He said: We have to work together. If we are going to work together on this subcommittee, I want to tell you something about how we do things in the Senate. We do not surprise each other. If you had a problem with that issue, talk to me. If you have the votes, you do not need to try to embarrass me publicly, you go ahead and do what you need to do.

I learned a great lesson there. I learned a lesson that can only come by someone teaching you, such as when I practiced law. It is not pleasant to talk about, but you learn from your mistakes in the practice of law. When you make a mistake, you never do that again. As a result of the teaching moment I had with Senator DOMENICI, I never, ever did that again. So I appreciate, if for no other reason than that, that one experience with PETE DOMENICI. It made me a better Senator and a better person.

It was very clear that when Senator Domenici realized he would not be playing for the New York Yankees, even though he was a good athlete, he decided he would become a teacher. Then he went to law school, and after graduating, Pete Domenici entered politics. First, he was elected to the city commission in Albuquerque. Then he climbed up that ladder of local politics and became mayor of Albuquerque and was elected in 1972 as a young man to the Senate.

My relationship with Senator Domen-ICI began, my first experience coming to the Senate, in 1986. I was very fortunate that year. I was a brand-new Senator. I got on the Appropriations Committee. As we now know, Senators wait a long time to get on that committee. I was so fortunate that BARBARA MI-KULSKI and HARRY REID, two brand-new Senators, were placed on that committee. From that day, I got to know PETE DOMENICI.

My experience on the Appropriations Committee goes back to the day that John Stennis, the Senator from Mississippi, was chairman of that committee. By the time I got to the Senate, he was in very frail health. He had been shot in a robbery, he had lost a leg, he had cancer. So he was very weak.

His chief of staff was a man by the name of John Sullivan. He had been chief of staff of the Judiciary Committee, Armed Services Committee, now the Appropriations Committee. And he called me. After I met Senator Stennis, he called me in his office and said to me: Senator REID, you got on the best committee in the entire Senate. He said: You can do a lot of good things for your State, but do not be greedy.

That was a real good lesson for me. I have always tried to follow that. Senator DOMENICI has been someone I have worked with on that committee. I did not immediately get on the Energy and Water Subcommittee. It takes a while to get on that. That is one of the most

sought-after committees you can get on in the Appropriations process.

I worked with PETE DOMENICI since the first day I have been in the Senate but on a very close basis from the time I got on that subcommittee. So we worked together on that Energy and Water Subcommittee for 22 years. Some of these years PETE was the chairman, as I indicated, or I was the ranking member, and other years it was the reverse.

But, frankly, for the two of us, it did not matter which party controlled the Chamber. We continued to work for the people of Nevada and New Mexico and the country on a bipartisan basis. We have traveled the country. We have gone to some of the labs that are so necessary for our country's science—Livermore—and the great facilities we have in New Mexico—Sandia. I can remember going there so clearly. It was a wonderful experience. The two labs in New Mexico are among the best. We also traveled to a facility we fund in Missouri.

Anyway, we have done a lot of things together over the years. In addition to that, because of the relationship of the spouses, his wonderful wife Nancy and my wife Landra, have become very good friends. They are very small people physically but big people in other ways. They are both generous, thoughtful, kind wives, mothers and good people. They have done a great job of raising our children, and they have many conversations about the good and the bad, as all families have in raising their children.

PETE DOMENICI is now the longest serving U.S. Senator in the history of his State, New Mexico. But longevity does not tell the story of DOMENICI's legacy. He has established himself as one of America's premier leaders on energy policy, national security, scientific research. While I talk about national security, one of the things I am very satisfied—I do not want to use the word "proud"—satisfied that PETE DOMENICI and I worked together on was the safety and security of our nuclear arsenal.

Now, you cannot put these nuclear weapons we have in some storage facility and leave them alone. There must be a way of making sure they are safe and reliable. We worked for years to accomplish that goal, and we have been successful.

PETE DOMENICI has been one of the leaders on scientific research because of his work on the national labs and fighting nuclear proliferation. He has been to the Nevada test site, 90 miles outside Las Vegas, on a number of occasions. He has worked hard to ensure the competitiveness of American workers in the global marketplace.

We hope within the next—before this year ends, that we can pass the legislation—we have done it here, it has not made it through the House—that we can pass the legislation he and Senator Wellstone started working on more than 10 years ago. It is no secret that

these two great individuals, wonderful Senators, did it because they had experience in their own families, problems with mental illness.

As a result of that, they became the experts, the leading advocates to do something about mental health parity in our country. If we eliminate the work he has done on scientific research, national security proliferation, competitiveness, eliminate all that, if he had not done that and all he had done is lead us on the road to mental health parity, that would have been enough to have a very successful career.

But for the millions of Americans who suffer from mental illness, PETE DOMENICI is the hero. He has joined Senator Kennedy, as I have indicated, the late Senator Wellstone, as national champions on issues related to mental health.

So I would hope that one of the last things we do during the year, that will be the end of his great Senate career, is figure out a way to make sure we get this legislation passed. Senator DOMENICI made his farewell remarks this past Saturday. He described himself as nearly incapable of sitting still in a crisis. With these years of service to New Mexico and our country, that description fits him perfectly.

Pete and Nancy have eight wonderful children.

Now, how can I describe in my words how I feel about PETE DOMENICI leaving? I guess we should, as Dr. Seuss said: "... not cry before it's over, smile because it happened."

That certainly applies to our relationship: Don't cry before it is over, even though there are times when you would like to shed a tear, smile because it happened.

No distance or place or lapse of time can lessen the friendship of those who are thoroughly persuaded of his work. I am persuaded of the work of my friend, PETE DOMENICI.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I rise to say thank you to the distinguished majority leader for his kind words about my service in the Senate with him and my service in the Senate generally. I wish to say you have been far too generous in your words. I accept them and appreciate them abundantly.

I also wish to correct one slight error, I was a right-hander, not a lefthander. But that is all right. Everything else you said was correct.

Mr. REID. I have described him as left-handed all the time I have known him because I did not think we had two right-handed pitchers. I thought BUNNING was the only right-hander.

Mr. DOMENICI. My pitch was a very gifted one. I was right handed, but the ball broke automatically as if I was pitching left handed. So you were close. When you have a right-handed pitcher who throws a certain kind of fastball that breaks into the right-handed batter, that is the screwball.

You go to a lot of trouble throwing a screwball; but mine, I did not have to go to a lot of trouble, it did it anyway. I wish there were things around here that worked that way, that you did not have to work so hard to make something happen. But you have to work here.

It has been my pleasure to work on many measures, so people will know it is not just talk when you say you work in a bipartisan manner—on the Appropriations Subcommittee, on Energy and Water, a strange-sounding title. We have had the task of maintaining the safety of the nuclear arsenal. We were given a brandnew approach, this Senator and I, to saving and securing our arsenal without testing for the first time.

So we inherited a job of seeing that nuclear weapons were safe, and we were no longer going to test them as we had from their inception. We were given a concept called science-based stockpile stewardship. Remember those words, Leader? For a long time we had trouble saying them, science-based stockpile stewardship.

That meant we were going to use a scientific manner of assessing what was going on inside a nuclear weapon as it matured. We had put together a plan, paid for it, and it took a long time. Every national laboratory had to have something, as you recall, some piece of this project. We are not yet finished with the biggest piece, which is in California, at the laboratory there, a gigantic laser facility, multilaser facility that will look inside nuclear weapons and see that they are safe.

But I give you this one example: Two Senators did that. No audiences. No television. They were all welcome. It was open. But we went about our business. As we moved along, nobody could tell who was chairman and who was ranking member. It was a pleasure. I could count on you and you could count on me. I do not think we ever once deceived each other.

Your story about my getting perturbed at you was slightly different than it was. You were ranking member and you went to the Republican side and got a proxy. What I told you was to never do that again. When you get a proxy from a Republican on my side, you have to tell me. And you were very apologetic and found out that I was telling you right. We never had another word. We never had another situation where proxies got mixed up. Republican proxies were sought after by the Republican person. If you couldn't get them, you would go somewhere else. But we had to have an open hand there and tell each other what was going on. That is the way we did it. We told each other the truth. With the truth came great things from that subcommittee on which we were totally bipartisan.

We had kept the nuclear arsenal safe enough where those who ran the three Laboratories could tell the President every year that the United States nuclear arsenal was safe and sound. They must do that as a matter of law, you recall.

I say thank you. I close and say I, too, am sorry about leaving. You indicated something about sadness, but I am hopeful things will be all right with me, and certainly the Senate will have to continue to be a great place.

As we close, we had this one dialog this morning, and I have the chance, before my distinguished Republicans waiting to speak, just to say I hope with all the strength of my being that we can put together a package that will gather the votes in the House and Senate to put this plan, this recovery plan, in place so we are not going to suffer irreparable harm for the people by the financial markets falling apart.

I am so sorry we got started with this concept of calling it a bailout. There is nothing to bail out. We are buying assets that are stopping up the system. I don't know how that got to be a bailout. You buy them and you own something and you sell it later. If you don't buy it, the entire system behind those bad assets, which were stuffed into the system over a number of years because we sold mortgages that were not good mortgages-I wish the people could understand that we are not bailing out Wall Street. We are not bailing out anything. We are trying to make sure the American financial markets in your own backyard—your bank, your savings and loan, all the other things, your payroll checks—are going to function under this very fabulous American financial system which has some very big kinks in it now. It won't work. We have to make it work

Again, I thank the majority leader for his comments.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, while both the majority leader and Senator Domenici are here, I want to say I appreciate the opening remarks of the majority leader today. It is precisely that tone of necessity and bipartisanship that will enable us to achieve the result to which Senator Domenici referred. I hope to continue in that same vein with some comments I will make in a moment.

If I could turn to Senator DOMENICI. the majority leader pointed out several of the things that have been commented upon before regarding Senator Domenici's leadership. I want to focus on two other things briefly. The majority leader spoke to his leadership on matters relating to the preservation of our great National Laboratory assets. two of which are located in New Mexico. He referred to Senator Domenici's leadership on mental health reform, on nuclear power; that is to say, our production of electricity on which Senator DOMENICI has worked so hard. I don't recall if he mentioned all of the budget reform that Senator Domenici put in when he was chairman of the committee, but we are certainly all aware of that

I would like to briefly mention two others, to express appreciation to Sen-

ator Domenici for his help in achieving one of the landmark Indian water settlements in the history of the country related to Arizona a couple of years ago. Without his help, that wouldn't have been possible. And I want to indicate something that probably not a lot of folks are aware of, but people in New Mexico will become aware of, that Senator Domenici has worked hard to lay the foundation for an equally historic water settlement for New Mexico, Unfortunately, that will not be completed before the end of Senator Domenici's service, but it will not be completed without the foundation he helped to

Finally, something that has happened recently that only his Republican colleagues would be familiar with, but in these last several weeks in which we have confronted this financial crisis, several leaders have risen to accept the challenge of leadership. Senator DOMENICI is one of those. Perhaps because he had been here a long time, had the respect of his colleagues, always spoke thoughtfully on these issues, it would be expected that he would perhaps rise to that leadership role. I know in our Republican conference during the meetings we have had to discuss this, and others, it was frequently the case that Senator DOMENICI stood and thoughtfully and quietly expressed the words that only very respected leaders can speak. He did that on one occasion to bridge a gap between two groups of Republicans, to compliment one group and to demonstrate how we all could work together to restore confidence to our markets. He has done that subsequently in a thoughtful and. I even suggest, profound way.

I have heard Senator Domenici speak eloquently before, but I have never heard him speak more eloquently than when he has been addressing this crisis. It allows us to return to the proposition that as this great Senator nears the end of his service in the Senate for the people of New Mexico and the people of America, he is joining together in a bipartisan way to work on a problem of great significance to the people. He has done everything he can.

I know when he leaves, he will be able to say he did everything he could do—and he did it well. I appreciate his service. I have appreciated the personal relationship we have had, the friend-ship we have had, his assistance to me. I know that will continue even though he and Nancy will not be here in the Senate. But we will be close, since we are neighbors in the great Southwest. I join the remarks of the distinguished majority leader and compliment my friend for his years of service to the people of this country.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I once again thank my friend from Arizona. He has given me far too much credit, but I appreciate it. I have tried to understand the significance of this agree-

ment. I only wish that every Member had the luxury of understanding it because I don't think they do. I don't think some do. I wish far more that the millions of Americans who are writing their Congressmen saying this bailout should fail, it is no good, it doesn't help me, I wish they would understand the way I have been privileged to understand. I want them to know it didn't come easy.

The first couple of days I didn't understand, maybe the first 3 days. It looked to me like it was all crazy and wild and it would never work and what were we trying to fix. It turns out I finally got it.

Once I did, there was no citizen who could write to me and say I shouldn't vote for this because it is bad because I would have to call them and tell them they didn't understand. That is why I am talking to you. I hope some additional citizens hear us.

If they say: Why should he be telling us we don't understand, I am telling you, citizens, you don't understand if you are against this on the basis that it bails out Wall Street. There is no bail out. If it bails out nothing, how can it bailout Wall Street? It buys something. We will agree to that, right, it will buy something. But the something it is buying is an asset that is clogging up the financial rivers of America because they are toxic. They are not good mortgages. If you don't buy them up, they will continue to clog it up.

So, citizens, turn some of your Members loose whom you are holding hostage by telegram and phone call to allegations that are not correct, that are untrue. If we continue to have our citizens believe them and thus lead our Members into not permitting this vote to occur with a majority vote, we are going to do irreparable harm to a system that brings us the luxury of America, the luxuries of everyday life, the luxuries of buying so many things which come from a financial system, the luxury of buying cars that come from a financial system. Nothing is paid for in cash today.

I don't want to offend the few people who do pay in cash. Some people pay in cash, but 99.9 percent of every transaction has some credit in it. If it has some credit in it, it is not going to work a couple of weeks from now because it has fallen apart.

I wish when we started it off we would have huddled and said: How do we talk about this? They are still using the phraseology "bailout" this morning. In fact, some are saying "the bailout," but then they say: But it isn't a bailout. But they started by saying it is a bailout. So we have citizens all over the place telling House Members who are running for office—and I don't blame them—don't vote for the bailout.

I have taken these few minutes. I probably won't come back to the floor this morning. I hope not. I have burdened the Senate enough. I have bothered you enough. You just came down

to say a few words. Here I got up and said it all over again. What I didn't do, I say to the Senator from Tennessee, I didn't use the metaphor about a superhighway.

Mr. KYL. I will use that.

Mr. DOMENICI. I dreamt it up with my staff, and it is pretty darn good. That is one where what you are going to say, if the American people are telling their Congressmen that this is a bailout, if they listen to you, they will find out there is no bailout. They will find out there are some broken down cars in the middle of the road, and they have to be moved.

In any event, let me say one other thing about your mentioning my activities and just say to you, a number of things I have done lately I could not have done without your help and your leadership. I want to tell you one of them because it is a good one—I will be gone, and you need to stand up for it; if you have to filibuster, you have to—that is opening all of the offshore of America for drilling for natural gas and crude oil.

If the new President or the majority tries to reinstate those moratoria, I am saying thanks for helping me who started that thing. I got it started with a little bill because my staff and I said: What is the biggest thing we need. And we needed that so we put it in. Then, thanks to this leader, we made the bill grow. Then it grew, and then the people bought it. That is how it happened. The people said: Drill, drill, drill.

Don't let it go away when I am gone. I am just asking you. You are a good filibusterer, so do it. The first time they want to close up some of that, and the first one will be California, you tell them to get an estimate of how many billions California will get if they start that. Then you ask that Governor: How would you like to have a gift for your people over the next 10 years, 15 years of, say, for California, maybe \$12 billion. They may fall over out of a chair if you told them that, and that might be the case. I don't know the number. I am just telling you it is big.

With that, I say thanks. It is nice being here again with you.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 2095, which the clerk will report.

The assistant legislative clerk read as follows:

Message from the House of Representatives to accompany H.R. 2095, entitled an Act to amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the

Federal Railroad Safety Administration, and for other purposes.

Pending:

Reid amendment No. 5677 (to the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill), to establish the enactment date.

Reid amendment No. 5678 (to amendment No. 5677), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

NOT A BAILOUT

Mr. KYL, Mr. President, I would like to continue the conversation Senator DOMENICI and I were engaged in. I assure him that Senator ALEXANDER and I came to the floor this morning to try to do exactly what he suggested; that is, to tell the stories of real Americans who are confronting the challenges of the market that need to be fixed. Senator Alexander and I will do that for a few minutes to demonstrate that this is not a problem that requires a bailout of Wall Street. It is unfortunate that the media has spoken in those terms. We understand the media likes to use shorthand to describe problems, but it can do great damage. It is wrong to call this a bailout of Wall Street.

About 3 weeks ago, the Federal Reserve Board and the Department of Treasury did bail out some businesses and Fannie Mae and Freddie Mac. Those were bailouts. They acquired assets, took them over, and they restricted the compensation of the people running the companies and did all the rest.

This is something different. It addresses the problem that Senator DOMENICI has described akin to a big automobile accident in the middle of the freeway.

One of those great freeways in the State of the Acting President pro tempore can flow very nicely until there is an accident. Then when there is an accident, particularly involving four or five cars, it stops traffic for a long time, and unless somebody comes and unclogs it, it is stopped dead. That is the analogy he has used to describe the problem in our economy today.

I am going to indulge my colleagues for just a moment and go back in time. When my grandmother, who was an immigrant from Holland, was running their household with my grandfather, they never bought anything on credit. Everything was cash. They paid for their modest house when they had the cash to buy it and lived in it the entire time in a small community in Nebraska until they passed away. When they would buy a car, they would not buy it until they had the cash. That was the way a lot of people who lived through the Great Depression had to work because there was no credit during the Great Depression.

It is not a bad lesson for all of us to try to have a little more cash on hand when we enter into big financial transactions because America has gotten into a bit of a bad habit. It is the habit of leveraging everything, buying everything on credit and, in effect, creating a situation where you have so many loans, so many credit card debts. You bought your home on credit absolutely to the hilt. You have mortgaged it. Your car is on credit. And, by the way, the day after you drive your new car off the lot, it is worth less than the car loan you have to repay. That is now the situation with a lot of homes because home values have declined to the point that some of the mortgages exceed the real value of the homes.

So we found that in our society generally we have far too much debt. It is true, as Senator Domenici said, our country runs on debt. So what happens if all of a sudden the credit that is required to fuel this system dries up—nobody can get a loan anymore, there is not any credit available. Well, it is like the freeway accident that he describes. You have five or six cars in the middle of the freeway, and every car behind them is backed up and is going nowhere.

Now, in one car you have a doctor who has to get to the hospital or a nurse or a teacher who needs to get to the school to teach kids or a mom who needs to pick up her kids from school and they are waiting and she cannot get to them. You can just imagine all the other reasons people are in their car trying to get someplace. It is serious business. They need to get going, and they cannot. If they cannot, people are hurt.

Likewise, if you view those cars as the loans in our system, they were a nice shiny car until they got into the accident, and now they are not worth as much. They have been wrecked. Somebody has to come and haul those cars away and get rid of them.

Well, what if there was not anybody to haul them away? What if nobody could be paid to come to haul them away? Then nobody is going to come and clear the freeway. That is the analogy to our financial system today. People say: Well, we would love to come and haul them away, but we don't know—if we bought those cars, if we took them—that we could resell them for anything. They look kind of damaged to us. Nobody wants to buy this used car, so it is somebody else's problem

None of us like Government involvement in our free market. We want to keep it to as low a level as possible. But in times of crisis, sometimes it is up to the Government to step in and lead the way so the private market can get unclogged and begin to work again. Just as with the freeway, we do call the public ambulance and the public highway patrol, and so on. This is a case where the public, represented by the Members of Congress and by the administration, need to come up with something to get that freeway cleared.

Secretary Paulson and President Bush and the administration, as well as the Chairman of the Federal Reserve Board, Ben Bernanke, came to us a week ago and said: We have a huge