

to disenfranchise some of the most vulnerable American voters. In several instances elderly nuns who were not able to vote as a result of Indiana's laws. Although the Supreme Court agreed with Mr. Garre's position, 6-3, the Court left the door open for "as applied" challenges and statutory challenges to laws that burden voters' fundamental right to participate in the electoral process by mandating a photo ID. If confirmed, I hope Mr. Garre will act as he said in his hearing he would to enforce the Voting Rights Act's antidiscrimination provisions against State photo ID laws that deter minority voter participation.

I hope Mr. Garre shares my view that it is vital that we ensure that we have a functioning, independent Justice Department, and that we ensure that this sad era in the history of the Department is not repeated. We have seen what happens when the rule of law plays second fiddle to a President's agenda and the partisan desires of political operatives and it is a disaster for the American people. Both the President and the Nation are best served by a Justice Department that provides sound advice and takes responsible action, without regard to political considerations—not one that develops legalistic loopholes and ideological litmus tests to serve the ends of a particular administration.

Jeff Sedgwick will also have an important role to play in the few months remaining in this administration. The Office of Justice Programs plays a vital role in developing the Nation's capacity to prevent and control crime and compensating and assisting crime victims. Crime, including violent crime, has been on the rise, particularly in rural areas and smaller cities. Many of us think it is in part the consequence of this administration's failure to provide financial assistance to our state and local law enforcement partners. Despite our repeated warnings, the Bush administration has systematically tried to dismantle Federal support for local and state law enforcement that was being provided through our successful Community-Oriented Policing Services, COPS, program, Byrne grants and other programs. Under President Bush, billions have been cut from our state and local law enforcement efforts while we continue writing blank checks for police in Iraq. I hope that Mr. Sedgwick helps us reverse this trend and turn the tide back against crime in rural areas and smaller cities where it has been on the rise.

I congratulate the nominees and their families on their confirmations today.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ANDEAN TRADE PREFERENCE EXTENSION

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7222, which was received from the House.

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 7222) to extend the Andean Trade Preferences Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BAUCUS. Mr. President, President John F. Kennedy said that "if a free society cannot help the many who are poor, it cannot save the few who are rich."

This week, Congress has worked hard on the American economy. No matter how grave our problems today, America remains the world's richest nation. Our domestic challenges are great. But ours remains a land of opportunity and prosperity.

With our own economy in hard times, it is easy to forget the world's poorest. It is easy to forget that more than a billion people around the world live on a dollar a day or less. Concerned about maintaining our own standard of living, we can forget that the wealth of too many consists of little more than the clothes on their backs and the few coins in their pockets.

The legislation that we consider today proves we are not an island—economically or morally. Today's legislation accomplishes four key objectives. It extends the Generalized System of Preferences for 1 year, extends the Andean Trade Preferences Act for 6 months to 1 year, with safeguards to ensure that Bolivia and Ecuador comply with that program's rules, affords the Dominican Republic enhanced access to the U.S. market in a way that benefits U.S. producers, and allows our trade preference program with Africa—known as AGOA—to work better.

I am proud that, by considering and passing this legislation, America again proves that we are still capable of thinking of others. By acting on this bill, Americans underscore that those who do not share our wealth must not be denied hope for a better life. By extending our trade preference programs, Americans reaffirm the fundamental belief that the world's poor are no less human than we are, and they deserve a fair shake for a hard day's work.

America has crafted trade preference programs for those hundreds of millions of poor around the world, not with a handout, but with a leg up. These preference programs offer more than 130 countries a way out of extreme poverty—poverty that is not just morally repugnant, but politically destabilizing. Our GSP and ATPA programs give developing country workers a living, rewards productive investment, and grants better access to America's market.

The benefits of these programs are mutual and create jobs that earn good

wages in Montana and the rest of the country. Retail and transportation jobs in America depend on flower exports from Ecuador and Colombia. We sell American cotton to Andean and Dominican textile buyers who turn it into fabric and apparel. American manufacturers rely on imports from GSP beneficiaries to lower input costs on electrical parts and building materials. And American consumers benefit from lower priced products from diamond rings to tires.

Our preference programs are not perfect. My colleagues and I are concerned that our preference programs may help those who do not need or deserve our help. We are concerned that certain beneficiary countries boast globally competitive industries and wealthy owners. We are concerned that certain beneficiary countries show disdain for America's foreign policies and do not provide adequate protections for the American companies operating in those countries.

Yet I recognize that the good and prosperity of the many cannot be sacrificed to punish the few. The inappropriate actions of a few cannot lead us to inaction that hurts the many and throws entire economies into a spiral of insecurity and poverty.

This legislation on our preference programs is no blank check. Our preference programs require beneficiary countries to protect U.S. investment and intellectual property and to provide workers with internationally recognized worker rights. Our programs provide the administration with the flexibility to work within the program in order to determine whether or not to designate a country a beneficiary country. And when beneficiary countries do not abide by these eligibility criteria, they must be held responsible. I commend the administration for launching an ATPA review of Bolivia to ensure that it continues to abide by the eligibility criteria.

Our preference programs also contain measures to make sure that developing countries that become globally competitive graduate to operate under the same terms as the rest of America's trading partners.

These policies are not perfect. No policy this body passes is static. Every policy requires review and reevaluation to make sure it works how it should, for whom it should. As chairman of the Finance Committee, I am committed with my colleagues to reviewing and reevaluating our trade preference programs to make them work better for Americans and our trading partners.

Let us do things the right way, the American way, and extend our preference programs.

Mr. LEVIN. I ask unanimous consent that a Reid substitute amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The amendment (No. 5695) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill read a third time.

The bill (H.R. 7222), as amended, was read the third time, and passed.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 440, the adjournment resolution, which is at the desk.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 440) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LEVIN. Mr. President, I ask unanimous consent that the amendment at the desk be considered and agreed to, the concurrent resolution, as amended, be agreed to, and the motions to reconsider be laid upon the table.

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

The amendment (No. 5692) was agreed to, as follows:

(Purpose: To change the date of the reconvening of the Senate)

On page 1, line 3, strike "from Monday, September 29, 2008, through Friday, October 3, 2008,"

On page 2, line 2, strike "that" and all that follows through line 9 and insert:

"the Senate may adjourn or recess at any time from Thursday, October 2, 2008, through January 3, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee until such time as specified in that motion, but not beyond noon on January 3, 2009, and it may reassemble pursuant to section 2 of this concurrent resolution."

On page 2, line 15, strike "time" and insert "respective time".

The concurrent resolution (H. Con. Res. 440), as amended, was agreed to, as follows:

H. CON. RES. 440

Resolved, That the resolution from the House of Representatives (H. Con. Res. 440)

entitled "Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate," do pass with the following amendments:

On page 1, line 3, strike "from Monday, September 29, 2008, through Friday, October 3, 2008,"

On page 2, line 2, strike "that" and all that follows through line 9 and insert: "the Senate may adjourn or recess at any time from Thursday, October 2, 2008, through January 3, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee until such time as specified in that motion, but not beyond noon on January 3, 2009, and it may reassemble pursuant to section 2 of this concurrent resolution."

On page 2, line 15, strike "time" and insert: "respective time".

COMMENDING DAVID J. TINSLEY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 702, and I ask that the resolution be read in full.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 702) commending David J. Tinsley on his service to the United States Senate.

Whereas Dave Tinsley, a native of the Commonwealth of Virginia and graduate of Virginia Tech and the University of Maryland, has worked in the Office of the Secretary of the Senate since October 1977;

Whereas Dave Tinsley has served the Senate with distinction as a staff assistant, a reference assistant, as the assistant Executive Clerk, assistant Journal Clerk and assistant Legislative Clerk;

Whereas Dave Tinsley has, since 1999, served as the Senate's Legislative Clerk and Director of Legislative Services, supervising 36 employees and has at all times discharged his duties with dedication and diligence;

Whereas Dave Tinsley's sonorous voice is known to all in the Senate and the C-SPAN audience;

Whereas Dave Tinsley has earned the respect and affection of the Senators, their staffs and all of his colleagues for his calm and kind demeanor and his good humor; and

Whereas Dave Tinsley now retires from the Senate after 31 years to spend more time with his wife, Jane, and his children, Joe, Dan and Katie; Now, therefore, be it

Resolved, That the Senate expresses its appreciation to Dave Tinsley and commends him for his lengthy, faithful and outstanding service to the Senate.

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to David J. Tinsley.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEVIN. Mr. President, I would only say, for those who are either reading the RECORD at this point or watching or listening to the proceedings, that our leaders spoke last night eloquently about Dave Tinsley, his service to this Senate, to the Nation. Somehow or other, I would love to see this resolution connected with those words that were spoken in a very historic moment last night, with, I think, just about every Senator in the Chamber, with the gallery filled, that if I could make

an incorporation by reference, I would love to do that. But I think I better resist the temptation to do that and simply refer our listeners and readers to last night's proceedings.

Our leaders spoke for not just every Senator but every member of the staff. Anyone who has known Dave and the great work he has done for us and his loyalty to this institution is grateful for that service and for those wonderful words last night of our leaders.

So, Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 702) was agreed to.

The preamble was agreed to.

ORDERS FOR MONDAY, OCTOBER 6, 2008, THROUGH MONDAY, NOVEMBER 17, 2008

Mr. LEVIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess and convene at 3 p.m. on Monday, October 6, 2008, for a pro forma session with no business conducted, except with the concurrence of the two leaders; that following the pro forma session, the Senate recess for pro forma sessions with no business conducted on the following days and times: Tuesday, October 7 at 11 a.m.; Friday, October 10 at 11 a.m.; Tuesday, October 14 at 12:30 p.m.; Thursday, October 16 at 10 a.m.; Monday, October 20 at 3 p.m.; Thursday, October 23 at 2 p.m.; Monday, October 27 at 9 a.m.; Thursday, October 30 at 9:15 a.m.; Monday, November 3 at 10 a.m.; Thursday, November 6 at 11 a.m.; Monday, November 10 at 1 p.m.; and Thursday, November 13 at 3 p.m.

I further ask unanimous consent that when the Senate completes its pro forma session on Thursday, November 13, the Senate recess until 12 noon on Monday, November 17, and that following the prayer and the pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. LEVIN. Mr. President, the Senate will be in pro forma sessions until November 17, unless the House of Representatives fails to pass or amends H.R. 1424, the economic stabilization legislation. If the Senate is required to act further, the Senate could resume legislative session on Monday, October 6.