

We won't do it this work period, but we have a bipartisan piece of legislation that came out of the Environment and Public Works Committee dealing with global warming; it is the Lieberman-Warner legislation. We need to get to that. We have to be concerned about children's health and what we can do in that regard.

Can we accomplish these goals? Yes, we can. It won't be easy, and it cannot be done if we resort to the same business as usual. We have a shortened time period. We have the Presidential election coming up, and we have contested Senate seats that take a lot of the time of incumbent Senators and the challengers. Last year, my colleagues on the other side of the aisle broke the 2-year record of filibustering in just 1 year. I hope that isn't the case this year, that we don't break another record.

Our work has begun in this new year and new legislative session. Hope springs eternal, and I repeat what I have said before: If we accomplish things here, there is credit to go around to both Democrats and Republicans. Everybody can claim credit for what we do. If we are not able to pass legislation, there is blame to go around for everybody. I hope we can move forward on the important legislation that faces this country and needs to be done.

The PRESIDING OFFICER. The Republican leader is recognized.

#### THE SECOND SESSION OF THE 110TH CONGRESS

Mr. MCCONNELL. Mr. President, first, I welcome back the distinguished majority leader. It is good to see him and good to be at the podium again, refreshed and ready for act 2 of the 110th Congress. Republicans are eager to get to work on the unfinished business from last year, and we are determined to address the other issues that have become more pressing or pronounced since we stood here last.

We face a number of urgent challenges domestically and internationally, and there will be a strong temptation to politicize them or put them off as the current administration comes to a close and a new one prepares to take its place. This would be an irresponsible path, and it is one we should not take. We have had a Presidential election in this country every 4 years since 1788. We won't use this one as an excuse to put off the people's business for another day.

We have our differences in this Chamber. But Americans expect that when we walk into this well we will sort through those differences and work together toward common goals. And here are a few things we should be able to agree on: We need to show America that Government can live within its means by keeping spending low; that we can protect their quality of life without raiding their wallets with higher taxes; that we won't push

problems off to future Congresses; and that we will not take chances with their security.

As we do all this, we can be confident of success—confident because we have faith in this institution, and confident because of what we learned the last time around. Personally, I think there are a lot of lessons we can take away from last year, and that if we're smart we will learn from them. We all know what worked and what didn't work. We all know the formula for success and the formula for failure. So this year even more than last year, success and failure will be a choice.

I think we can agree, for instance, that we all worked best last year when we worked together. Last January our Democrat colleagues presented us with a minimum wage bill that didn't include needed tax relief for small businesses. It didn't pass. But when they did include the tax relief these small businesses deserved, it did pass—by a wide margin.

Our friends gave us an energy bill that would have meant higher taxes and higher utility rates. It didn't pass. But when they agreed to remove these objectionable provisions, it did—by a wide margin. Senate Democrats also tried to use a looming AMT middle class tax hike as an excuse for a giant tax hike elsewhere. That didn't get very far. But when we all agreed to block the AMT expansion without a new tax, together we prevented a major middle class tax hike.

The temptation to partisanship was strongest on issues of national security. By the end of the year, the majority had held 34 votes related to the war in Iraq and its opposition to the Petraeus Plan. Yet whenever Republicans defended the view that Congress should not substitute its military judgment for the judgment of our military commanders, or cut off funds for troops in the field, we moved forward. With the recent success of the Petraeus Plan, the chances of such votes passing this year have not improved. It was wrong to tempt fate when our progress in Iraq was uncertain. It would be foolish to do so when progress is undeniable.

So there is a pattern here, a pattern for true accomplishment. And now that we know it, we shouldn't hesitate to follow it. Not this November. Not sometime this summer. But now.

As we move into 2008, the problems we face are big, they're real, and they are urgent. And Americans expect competence, cooperation, and results. We know from experience that it's in our power to deliver. And it's in everyone's interests that we do. So on behalf of Senate Republicans, I want to begin this session by extending the hand of cooperation to our colleagues on the other side. As we begin this second session, we need to focus on our common goals.

We need to come together to protect and defend Americans from harm. We need to come together to meet the eco-

nomics challenges of the moment. And we will need to come together to protect Americans' quality of life by keeping taxes low, and by working to relieve anxieties about healthcare, tuition, the cost and quality of education, jobs, and the fate of entitlements.

On the economy, Republicans are encouraged by recent talk on the other side of a willingness to work with us on an economic growth package. Now it is time to prove this is more than just talk. We need to move ahead with a plan that stimulates the economy right away and which is consistent with good long-term economic policy.

An effective plan will focus on growing the economy and securing jobs. It will be broad based for maximum effect, and it won't include wasteful spending on programs that might make us feel good but which have no positive impact on the economy.

Republicans in the 110th Congress have shown that we will use our robust minority to ensure we are heard. And we will use our power to reject any growth package that's held hostage to wasteful spending. Americans are concerned about the state of the economy, they are looking to us to act, and acting now will be far less costly than waiting for more troubles to gather. Time is short. We need to put together a bipartisan package that helps the economy, and do it soon—without raising taxes and without growing government.

In the longer term, Congress can keep the economy stable by keeping taxes low and by assuring families, retirees, and small businesses that current rate reductions and tax credits will continue. We can prepare for the future by making sure every child in America gets a good education through reauthorization of the No Child Left Behind Act and by completing action on the Higher Education Act.

Our friends should also resist the temptation to increase taxes on dividends and capital gains; agree early that we would not offset a patch for the alternative minimum tax with a massive tax elsewhere; extend the current expanded child tax credit; and end the marriage penalty for good.

We can also boost the economy by boosting trade, which broadens the market for U.S. goods. Last May, Democratic leaders agreed to allow passage of four free-trade agreements if the Administration negotiated increased worker rights and stronger environmental protections. The administration did its part by negotiating the changes. Yet so far, only one of the four FTAs from last year, Peru, has passed. Now it is time for the Democrats to uphold their end of the bargain and pass the remaining three FTAs: Panama, South Korea and Colombia.

We can help the economy by keeping spending low. Republicans will do our part by making sure, as we did last year, that government spending bills don't exceed fiscally responsible levels even as they meet the Nation's highest

priorities. And Democrats can help by keeping spending in these bills low from the start—and resisting the urge to lace them with poison pill social policy.

Working together to strengthen America at home also means increasing access and lowering the cost of good health care. We should empower individuals and protect the doctor-patient relationship by promoting research into new treatments and cures and by investing in new information technology like electronic medical records and e-prescribing. We can also increase access by letting small businesses pool resources to get the same deals from insurers big businesses do.

In the coming months, Americans will hear a lot of different health care proposals coming out of the campaigns. And while presidential election years are not typically the time when broad based reforms are achieved, we shouldn't let disputes among candidates or the failures of the past keep us from delivering something for Americans now. In the long term, Republicans are committed to the goal of every American having health insurance. But there is no reason we can't find bipartisan support this year for other common sense measures that remove barriers to access and increase coverage options.

We should also be able to agree that too many judicial posts have been left empty too long. Last year we confirmed 40 judges, including six circuit court nominees, and an attorney general. But we are not on pace to keep up with historical precedent. The historical average for circuit court confirmations in the last Congress of a divided government is 17. President Clinton—who had the second most judicial confirmations in history, despite having to deal with a Republican Senate almost his entire time in office—had 15 circuit court confirmations in his last Congress.

Clearly, we need to catch up. But we can not confirm judges if they don't get hearings. And since last summer, Democrats have allowed only one hearing since last summer, one hearing—since last summer, one hearing—on a circuit court nominee. Compare that with Senate Republicans in 1999, who held more hearings on President Clinton's nominees in the fall of that year alone than Democrats allowed this President all last year. This pattern is neither fair nor acceptable.

As we focus on crucial issues at home, we are reminded that our first responsibility is to keep Americans safe. For some, the passage of time has made 9/11 seem like a distant memory and the people behind it a distant threat. Yet the best argument in favor of our current strategy of staying on offense is the fact that not a single terrorist act has been carried out on American soil since that awful day.

We decided early on in this fight that the best strategy would be to fight the terrorists overseas so we wouldn't have

to fight them at home. This policy has worked. And we must continue to ensure that it does by giving those who protect us all the tools they need.

One of the most valuable tools we have had is the Foreign Intelligence Surveillance Act, which lets us monitor foreign terrorists overseas and react in real time to planned attacks. In August, we updated this protection. Yet with only 10 days to go before it expires, we need to pass new FISA legislation that allows the intelligence community to continue its work and which assures telecom companies they will not be sued for answering the call to help in the hunt for terrorists.

Some of our Democratic colleagues delayed consideration of this vital legislation at the end of the last session. And it should have been the first thing we turned to this session. American lives do not depend on whether we pass the Indian health bill by the end of the month.

We also need to renew our commitment to the brave men and women of the Armed Forces whose hard work over a number of years has helped change the story in Iraq in 2007. No issue should bring us together more readily than this one. Yet no issue threatens to divide us more as the November elections draw near. Let the candidates say what they will. The Senate should stand united in supporting the troops—and we can start by affirming that the Petraeus plan is working.

We could even go one step further by making a pledge that during the session that begins today, we will not attack the integrity of our uniformed officers or subvert the efforts of the troops—all of whom have made sacrifices for us equally, regardless of our political parties or theirs.

Beyond that, we should be able to agree that we need to invest in the future of our military. This remarkable volunteer force is built on the finest training, weaponry, and education system in the world. We need to support this great national resource not only to retain our strength for today's battles, but in preparation for the unexpected challenges that lie ahead—particularly in the Persian Gulf and in the Pacific, where our strategic interests will continue to be challenged for many years to come.

So we stand at the beginning of a new year. I, for one, am hopeful that it will be a year in which we accomplish much for the people who sent us here. We can start by agreeing to protect taxpayer wallets and by facing concerns about health care and the other economic pressures that so many American families face. We must act right away to keep our economy strong. And above all we can work together to keep America and its interests safe both at home and overseas.

We can do all this—we can live up to our duties to work together on behalf of the American people—by learning from last year and working together.

Republicans are ready, we are eager, to do our part.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes each and the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Arizona.

#### WELCOMING ROGER WICKER

Mr. KYL. Mr. President, first, I join those who welcomed our new colleague, ROGER WICKER from Mississippi, to the Senate. I know he will serve his State and this Nation with distinction.

#### THE CHAPLAIN

Mr. KYL. Mr. President, I wish to mention and thank specifically our Chaplain, ADM Barry Black, for coming to Arizona this past weekend to join in celebrations relating to the Martin Luther King activities that occurred. After preaching three sermons and attending a couple other major events associated with Martin Luther King celebrations, Chaplain Black was right back here to open our session today. He certainly deserves our thanks and has my gratitude for joining us in Arizona.

#### FOREIGN INTELLIGENCE SURVEILLANCE ACT

Mr. KYL. Mr. President, I also wish to pick up on what our Republican leader has just been talking about: that we can, with bipartisanship, accomplish a great deal in this Senate and that there is no better place to start than on the Foreign Intelligence Surveillance Act. In the Senate, we refer to that by its acronym, FISA, but it needs to be our first important piece of business.

Certainly, our intelligence community, to whom we have given a very big responsibility, needs certainty with respect to its responsibilities and its rights. It needs permanency, not just 1-month extensions. This intelligence community must know the rules of the road. That is why it is so important for us to, within the next week or so, reauthorize the Foreign Intelligence Surveillance Act with a few additional changes to ensure that we can, in fact, collect this intelligence on our enemies.