

against growing Government, growing spending, and growing taxes.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip is recognized.

DELAYING TACTICS IN THE SENATE

Mr. DURBIN. Mr. President, I am going to yield to the majority leader when he comes to the floor, which could be momentarily. But I would like to, if I may, in morning business, address an issue which I think goes to the heart and soul of what the Senate is all about. One hundred men and women come together in this Senate, two from each State, to be part of a rich tradition in the history of this country, part of a national debate about the issues that are timely and important. It is an opportunity for the American people, through us, to have a voice and actually speak to these issues.

Unfortunately, time and again, this voice has been silenced, delayed by tactics from the minority side of the aisle.

I see the majority leader is here. I am going to yield to him at this point. I know he wanted to make the opening statement in morning business.

I yield to the majority leader.

FILIBUSTERS AND DELAYS IN THE SENATE

Mr. REID. Mr. President, I extend my appreciation to my good friend, the senior Senator from the State of Illinois.

Today is April 15. It is a big, red-letter day for people because it is the last day to file your income tax returns. As we send in our taxes—and some, as will happen tonight, will wait in line to file their tax returns—it is a good time to give thought to the economic state of our families and our economy, generally.

Since President Bush took office, the cost of gasoline has gone up more than 100 percent, more than doubled. The cost of home heating has skyrocketed. The price we pay for groceries has never been higher.

The head of the World Bank said, 3 days ago, that 31 countries will be in desperate need of food within a matter of months, and there could be riots in those countries. We are very fortunate in America, we don't have a shortage of food. But people are having trouble paying for the food they would like to eat. The same is true for health care, for prescription drugs—for college tuition. At the University of Nevada, we have a new law school. I was happy to see in the latest rankings it came out ranked 78th—a new law school ranked 78th in the Nation. That is remarkable. They have done such a good job.

But they also announced they are going to double the tuition at that new small law school—double the tuition. The cost of going to State institutions is going up. Why? Because the economies of our States are so desperately

bad. In the State of Nevada, because of the downturn in the economy, the Governor, with the State legislature, has had to cut almost \$1 billion in programs that are there in the State—road construction, new buildings, new programs—and cutting some of the old programs. Of course, they have a program to let prisoners out of our prisons more quickly, not because it is good for the people of the State of Nevada but because they are desperate for money.

We are paying record prices for nearly everything. Yet the average household income has dropped. American families are earning less and paying more. The Republican answer, for 7 years, has been to slash taxes for the ultrawealthy, to side with big business, oil companies, utility companies, and let the little guy fend for himself.

We have worked hard, as the Democratic Party—first in the minority, now in the majority—to cut taxes for the middle class, to end the dependence on oil that keeps our gas and heating bills sky high, to make health care and college tuition more affordable for families. We have now tried for days to quickly pass a highway bill that takes care of some of the problems we had in the massive bill we had before. There are corrections we would like to make on that. Last Thursday evening, the distinguished assistant leader was on the floor, as was the assistant leader for the Republicans. We talked about: Why are we having another filibuster on this? My friend, the junior Senator from Arizona, said: Oh, there will be no filibuster on this, everything is going fine—words to that effect. We had to vote last night to invoke cloture, and rather than being able to legislate on the bill, we are talking on the bill, stalling, wasting time.

We could have started on this legislation Thursday night. We could have legislated all day yesterday and all day today. But, no, we are not going to be able to do that. We are going to use the full 30 hours.

This is a number—it is probably higher than this, but let's assume this is right. The last time we came out and said there were 70-plus filibusters, they came out and said: Oh, no, not that many, not that many. So say 65, for purposes of this discussion.

In the history of this country previously—and I am going to use leader time, not morning business time, Mr. President, during my presentation.

The ACTING PRESIDENT pro tempore. The Senator has that right.

Mr. REID. Mr. President, in the entire history of the country, no matter what has been going on in this country—and we have been through some difficult times—the most filibusters we ever had were 61 or 62 during a 2-year period of time, during an entire Congress. But now, in the first year of this Congress, they broke that record—stalling, slowing things down so we cannot legislate the people's business. That is because they are protecting the status quo.

Can you imagine filibustering a bill that is correcting technical mistakes made by the two Houses in passing this legislation previously? They are filibustering that—commas, semicolons, dotting an "i," crossing a "t," that is what we are doing, that is what this legislation is all about, technical corrections—supported by the ranking member, Senator INHOFE, and the chairman, Senator BOXER. They are filibustering this, making us use all the time.

Some may ask why they are doing this. The main reason is they are protecting the status quo. Time after time, Republicans seemed intent on obstruction only for obstruction's sake. They pursued this course on legislative matters large and small. It doesn't have to be, as they have done many times, stopping us from moving forward on matters relating to Iraq—many times. Let's consider that a big issue. But let's consider what we are doing today a small issue—technical corrections on a bill.

Look what is going on in the country today. Look what is going on in the world today. We listen to the news or find it in the newspaper. Today in Iraq—scores of people killed in Iraq. Bombs here, bombs there, two American soldiers killed in Iraq yesterday. We have learned 2.7 million people are displaced in Iraq. That is Iraqis. The population is only 25 million people to begin with and 2.7 million of them are wandering around trying to find a place to live in Iraq. About 3 million have left the country. They have blocked us from doing anything about that.

We had General Petraeus talk about what is going on in Iraq. He didn't answer the question: Are we any safer now than we were before this Iraq war started, before the surge started? No answer to that. When are we going to get our troops home? No answer to that. They have even gone forward on tactics delaying matters on legislation they ultimately came to support—stalling for time.

The most unfortunate aspect of Republican strategy is real people suffer because of it. Why do I say that? There are a lot of things we need to do as a country. We have, now, a big merger that took place making big business even bigger. Delta Airlines has joined with Northwest. They will have 75,000 or 80,000 employees. Now there is talk of United joining with other companies. We have heard Southwest Airlines—they were flying airplanes that were in bad shape, but they did it anyway.

We have learned in recent weeks the Federal Aviation Agency is protecting the airlines and not the consumer. We have a bill we need to do, FAA reauthorization. We need to do that bill. We would like to bring up that bill, but we cannot because we are being stalled on a technical corrections bill—only stalling for time.

Veterans health care—Senator AKAKA has asked for months: Why

can't I bring up my bill? Every time, I say to him: Senator AKAKA, we are doing our best, but they stalled us on this and they stalled us on that. That is something we want to do this work period, as we do the FAA legislation.

There is an important piece of legislation—genetic nondiscrimination. A lot of things are happening in medicine. We have the ability to look at people and find out what their genes are going to forecast for the future. But we don't want, as a result of advances in medical care and treatment in this regard, to have someone who may be prone to getting some disease 10 or 15 years from now be discriminated against in the workplace. This is an important piece of legislation, and it is being held up; we can't get to that.

Flood insurance—we want to be able to do this. It is important to the American people. We hear a lot about the Federal Emergency Management Agency. What they deal with more than anything else—more than earthquakes, tornadoes, fires—is floods. Flooding is the most devastating natural disaster we have every year in America, and we want to do something to have the flood insurance program in this country mean something. We saw the never-ending litigation in Louisiana and Mississippi and Alabama as a result of Katrina. One of the reasons for that litigation is the legislation was not clear. It was not good legislation. We need to change that.

Food safety? My friend from Illinois has been working for a long time to do something about food safety—what can we do to make it better, so that when you go to a fast-food restaurant, you don't get salmonella; if you get a steak, it is OK. Has it been inspected? We have not been able to legislate in that regard.

It is disheartening to recognize and realize what we are not able to do, as a result of the Republicans wanting to maintain the status quo. Why can't we go through this piece of legislation, let Senator BOXER move forward on completing it, and then go to one of the other matters. There are a lot of other matters we need go to. I have only mentioned a few of them.

When I go home, people ask: Why aren't you getting more done? I tell them the Republicans are stalling, they want the status quo. Here is a perfect illustration, I say to my friends who have asked that question. Why are we being asked to waste valuable Senate time—that is all we have is time—valuable Senate time on something that is so unnecessary. We are waiting here. We came in at 10. The Republicans say we can't go to the bill; they want to go to their caucus and discuss what they want to do on the technical corrections bill.

I hope that my friends on the other side of the aisle, the Republicans, would let us start legislating. After we passed the stimulus bill for housing, I thought we could enter into a program where we would start doing that. I do

not know what they could talk about in their caucus about how difficult this particular technical corrections bill is. I said we are not going to fill the tree, which means they can offer amendments. Let them offer amendments. We invite them to offer amendments. But let's move forward on this legislation.

The Republican filibusters of this Congress, 65, is recordbreaking. They should be proud of that. We invoked cloture on more than 65 of those issues. We are still counting. Today is one of those counts that continue. I am very disappointed that we are being stalled again on something as insignificant as a technical corrections bill on highways.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, will you alert me when I have spoken 10 minutes in morning business.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mr. DURBIN. A filibuster is a way to stop the Senate from acting. A filibuster is an effort to make sure the Senate does nothing. You saw the movie with Jimmy Stewart, "Mr. Smith Goes to Washington." He took to the floor as a freshman Senator and stood there speaking in a filibuster until he collapsed in physical exhaustion.

Well, it does not quite happen that way anymore. What happens, of course, is someone says: I am going to stop the Senate, and you are going to have to come up with 60 votes to stop me.

Well, Democrats have 51 votes in this current Senate; the Republicans have 49. So anytime we want to move forward with a piece of legislation to which a Republican Senator objects, we need their help to stop a filibuster. They know that.

So their strategy this year has been to slow us down to a crawl so nothing happens and to make sure when something comes up that they think might be a delicate vote for them to face, they start a filibuster. Then we cannot come up with 60 votes, and we move on to something else.

The net result of this filibuster strategy from the Republican side of the aisle is that critically important issues, such as the ones mentioned by the majority leader, cannot be addressed in the Senate. The House passes important and timely legislation and sends it over, and the Republican strategy on this side is to stop anything from happening.

Look at the issues we are facing in this country. The Senator from California is here. She is the chairman of the Environment and Public Works Committee, and this committee is considering critical legislation on the question of global warming. This is important for us as a nation. It is important for our planet. And we know when this critical legislation which has now been reported from her committee comes to the floor, we will face a string of filibusters.

That is part and parcel now of the procedure in the Senate. But you say: Well, wait a minute. That is a big issue. Global warming is a controversial issue with some. You expect some political controversy. Right?

Well, accepting that argument, I then have to ask you: Why were we involved in a filibuster until last night by the Republicans on the bill before us today? This is a technical corrections bill. When we passed the highway bill, the Federal highway bill years ago, it was a huge bill affecting the entire United States of America. Then, as we combed through it, word for word, line for line, page for page, we found there were technicalities that needed to be changed: punctuation, references to a road instead of a trail. You find them in here. They go on for hundreds of pages.

But they are technical in nature; it is not a big policy debate. This kind of bill usually passes in the Congress by a voice vote late at night and no one notices. It is housekeeping. That is ordinarily what we do when we try to catch up and make sure everything is done just right.

Senator BOXER has worked long and hard to bring it out of her committee and bring it to the Senate floor, and the Republicans initiated a filibuster against the technical corrections bill. That is like having a resolution to salute motherhood and having them initiate a filibuster. Where is the controversy? There is no controversy in this bill. If they want to offer amendments, we said on this side: If they are germane amendments to the bill, have at it. That is what the Senate is all about, after all.

But the Republican strategy of filibusters, as indicated by this chart, in the history of Congress, the minority party has initiated no more than 57 filibusters in any 2-year period of time. That is the record, 57 in 2 years.

So far in this Congress, we are barely a few months into the second year. The minority party, the Republicans, has initiated 65 filibusters, and we are still counting.

You say to yourself: Well, they must have been some pretty controversial issues they had to filibuster. A technical corrections bill? So why do they filibuster? So that we burn the clock and eat up days so we cannot address the issues that are even more important to this country.

Would it not be great for us as a Senate to consider and debate a national energy policy to bring down the price of gasoline in the United States? No way. The Republicans insist on filibustering a bill that focuses on punctuation. Would it not be timely for us to consider the cost of health insurance to businesses and families across America and find a way to make it more affordable and accessible? No way. The Republicans want to debate a bill which changes the word "trail" to "road" and filibuster it.

That is the reality. And time and again when we have brought up issues,

the Republicans have initiated a filibuster in this Congress. You cannot read this; I can barely read it. It is a list of the Republican filibusters so far in this Congress, 65 and still counting.

Let me give you a couple of examples, if I can, of the egregious Republican filibusters in this Congress. We had a bill to implement the 9/11 Commission Report to fight terrorism in America—filibustered by the Republicans.

We had a bill authorizing the intelligence agencies to make America safer—filibustered by the Republicans.

We had a bill for court security so that judges and their families would be safe when they are at work or at home—filibustered by the Republicans.

We had a water resources bill to deal with the infrastructure of America and create good-paying jobs right here at home—filibustered by the Republicans.

The Clean Energy Act, an effort to use renewable, sustainable energy to reduce pollution and stimulate the needs of our economy—filibustered by the Republicans.

The CHIP reauthorization bill, a bill for health insurance for poor children across America, not poor enough to qualify for Medicaid, not lucky enough to have health insurance—filibustered by the Republicans.

The economic stimulus package to get this country out of the recession and moving—filibustered by the Republicans.

A Consumer Products Safety Commission overall to stop toys with lead-based paint from coming into this country from China—filibustered by the Republicans.

GOP used to stand for Grand Old Party. That is what the Republicans called their party, the Grand Old Party. But when it comes to the Republicans in the Senate, GOP stands for "Graveyard of Progress." They want to stop this Senate from making any progress on critical issues for this country. They want to run out the clock by filibustering a technical corrections bill.

There is only one remedy for this. It comes in November. The American people will have a chance to speak then. They can initiate a filibuster which the Republicans will hear. They can speak long and loudly and clearly that it is time for change in this Senate. The old ways of Washington dominated by special interest groups really hidebound to the partisanship that will not even let us bring up these technical correction issues has to change.

Voters in this country have the last word in November to elect agents of change, people who will make a difference for improving this country.

I yield the floor.

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

Mr. SCHUMER. Mr. President, I ask that you notify me when I have gone 10 minutes in morning business.

The ACTING PRESIDENT pro tempore. The Senator will be so notified.

Mr. SCHUMER. Mr. President, I, too, rise in strong support of the transportation technical corrections bill. First, I commend my friend and colleague, Senator BOXER, on her hard work and leadership in putting in these corrections.

I thank Leader REID for his determination to get this act through the body. Yet it seems our colleagues across the aisle will stop at nothing to obstruct our efforts which will improve the lives of working Americans who struggle to make ends meet and filibuster a comma, filibuster an exclamation point, filibuster the name change of a road to a way.

What is going on here? What is going on? Well, I have two points I would like to make. But first I ask my colleagues across the aisle, is there any topic that you will not filibuster? If you will filibuster a technical corrections bill, name changes, punctuation changes, corrections in terms of where the miles were supposed to be and where they are, what will you not filibuster?

Now, let's talk about two things. First, this bill is a win-win for the American people. We are entering a recession. We all know we need to prime the pump. Many of us believe we should have a large public works spending program. But the question is, Should we pay for it or should we not?

But in the SAFETEA-LU bill, this technical corrections bill, the money is already allocated. It cannot be spent because of some nonpolitical small error in the drafting. So this bill makes those corrections and hundreds of projects can sally forth and employ people with no particular cost to the Federal Government. Who could object to that? Do my colleagues want to tell the construction workers and those who have little diners and lunch places and restaurants where construction workers eat, and those who supply the construction industry: Heck with all of you, we are filibustering.

So on the merits it makes no sense to block this bill—on the merits. I have to say this to our minority leader: I know there are probably Members on his side who say: I want something else. I do not want to let this bill go through. There is a larger obligation. If we let every single Member of the other side of the aisle paralyze this body, then we are doing America a disservice.

I would plead with the minority leader to tell his individual Members: You do not have—each one of you does not have veto power over anything, particularly something as trivial as this.

So why is this happening? That is the second point I wanted to address. I will tell you why. The other side is basically paralyzed. They have no program for America. They have no agenda for America. They do not know what to say except the old nostrums that were rejected years and years and years ago. They cannot say yes and so they try to show some kind of position. They just say no. That is what is going on here. It is the internal problem on the other

side of the aisle, the hard right versus the right, versus the mainstream versus the moderates. They are all in a knot, and they cannot come to an agreement on anything, even a technical corrections bill that everyone has agreed to on the substance.

So the only thing that can unify them is a two-letter word: N-o.

Well, let me say that to allow any single Member to obstruct this bill is not living up to what the Senate is all about. It is not living up to what America is all about. It is not living up to what democracy is all about. Our leader has not said you cannot amend. Our leader has not said you cannot debate. I know there are a few Members on the other side of the aisle who believe there may be changes made. Let them debate it and let's vote.

But, no, the answer is only no. It has not been only on this bill. My friend and colleague from Illinois went through a long list of bills that are even more consequential than this one. Now, this one is not inconsequential. The changes are inconsequential, but the results are consequential. Again, it will employ thousands of people and release millions of dollars that have already been paid for to do worthy projects.

That, nobody disputes. But instead we have 65 filibusters already; 57 is the record—65 and going up. The filibuster used to be used on issues of major importance. It is now being used for everything, even the changing of punctuation and spelling, misspellings. Why? Because the only thing that unifies the other side is the word "no."

Well, the American people, come November 2008, are going to say "no" to the other side.

They are going to say: No more of this obstruction. We are going to give our side the number of votes we need to move forward, because 50 votes is not enough. Sixty is the need. This temporary refuge in the word "no" of a false unity will only be temporary.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor, along with the majority leader and my colleagues, to express our extreme frustration with what the minority, the Republicans are doing to block basic bills from getting through the Senate. We are trying to move to debate and offer amendments on a basic bill that needs to be done, called a technical corrections bill for transportation projects, changing minor things in the law so it can move forward. Normally this bill is done late at night; everyone agrees to it; there is no objection; it moves on; it takes only a few hours of time. It has gone through a lot of work in committee, which Senator BOXER chairs. They have done all their homework. It has passed on a bipartisan basis, and it was approved by the Senate late last night as a procedural move. But we are here today, spending hours and hours with no ability to move forward, no ability to offer

amendments, no ability to pass it, because the Republican minority has decided to filibuster this bill.

I go home every week, 2,500 miles away from here to the State of Washington. People come up to me and say: What are we going to do about the rising cost of health care? What are we going to do about the fact that fewer and fewer doctors are seeing seniors going into Medicare? What are we going to do about veterans waiting in line to get the care they have been promised? What are we going to do about the housing crisis? What are we going to do about Iraq and the President's request for \$109 billion more? In Washington, Boeing workers come up to me and say: What are we going to do about a procurement process that has allowed our military to send \$40 billion to a European-owned company, our tax dollars, at a time when our economy is struggling, to a European-owned company to start producing the backbone of our military, our air tankers? What are we going to do about that?

These are issues that we as Democrats want to bring to the floor and have major debates on, move legislation forward. They will take time. There is disagreement. Growing up in Washington State, when somebody said there is a filibuster, I assumed it was a major argument of the day. We would rush to find out what it was about and see which Senators were arguing which way and wonder in what direction this would change our country in the future.

We are a long way from that today. The filibuster is now being used as a delaying tactic so we won't get to those critical pieces of legislation, those critical debates we ought to be having in the Senate.

Republicans have engaged in an historic, record-setting level of obstruction over the last 14 months. They haven't filibustered the bills themselves, but they have filibustered motions to proceed to basic bills that we need to pass to keep Government running. They have delayed us from moving forward even after voting in favor of these bills. That is where we find ourselves today. Once again, Republicans have decided to keep us from moving forward simply to delay progress. They don't oppose the legislation. In fact, after filing cloture on the motion to proceed last Thursday and waiting the obligatory 30 hours, last night the Senate voted, and 93 Senators wanted to move this legislation forward. So why are we sitting here today delaying 30 more hours before Senators can even start to offer amendments, if they so choose, so that we can then move the bill to final passage, unless, of course, we have to file a motion to end debate and get to another filibuster of 30 hours, which will take a lot more time.

We have seen this before. It is about delaying. It is about not allowing America to move forward. It is about not allowing progress. The word "filibuster"

gets thrown around a lot here. People think of "Mr. Smith Goes to Washington" and the movie appears in their head. That is the most celebrated version of a filibuster. But there are all kinds of filibusters. We have learned that firsthand, because at the core a filibuster is any procedural move to delay the Senate. Any one Senator has the power to delay us. The majority and the minority have the power to talk to Members and say: This is important to enough of us that we need to move past those objections and begin to move this forward. We need to work toward an agreement so we can move forward.

Time and time again we have seen people use delays on motions to proceed, and then the Senate has to wait 30 hours, 30 long hours with people such as me sitting out here talking on the floor on miscellaneous subjects until we can finally get through 30 hours so we can then be on the floor for hours waiting for Senators to offer amendments. That kind of delay has forced this Senate in this Congress for over a year now into weeks and weeks and weeks of wasted time. No wonder the American people think nothing is getting done in Washington. We are seeing delay after delay. Believe me, we are all frustrated that we cannot get to those important topics of the day, to be able to have perhaps a real filibuster on a real issue that is important, that would change the direction of this country. That is what a filibuster ought to be about. But here we have to file cloture on the motion to proceed to basic bills. We have had to file procedural motions on whether to follow the 9/11 Commission recommendations, which then passed 97 to nothing, once we got through all of those hours of waiting around. On the intelligence authorization bill, we had to file a motion to proceed to the bill, had to wait the 30 hours, and then the vote was 94 to 3. So a couple of Senators forced an entire Senate to wait 30 hours and not get anything done. Bill after bill I could list a desire on the part of the minority to delay progress.

What we are seeing is Republicans who are united for obstruction on issue after issue. Month after month, Republicans have put delay before debate, procedure above progress, and obstruction before solutions.

The American people, certainly in my State of Washington, want us to move forward and deal with the issues critical to their families. They are struggling today with the economy. They are worried about their ability to retire. They are worried about being able to send their kids to college. Certainly, our men and women who have gone to fight the war in Iraq are coming home and facing delays. Yet we can't get a veterans bill up on this floor because of the delays we are seeing.

Here we are today, waiting around to vote on a technical corrections bill to a transportation bill that ought to take a few minutes.

It is a sad day in the United States. I hope our colleagues will talk to their leaders and say: We need to move on. It is time to get the business of this country done. That is our job.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, could the Chair tell me what the current state of the parliamentary situation is right now?

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

HIGHWAY TECHNICAL CORRECTIONS ACT OF 2007—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 1195, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to consideration of Calendar No. 608, a bill (H.R. 1195) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I am very hopeful we can move this bill. When my kids were a little younger, they used to say: Mom, it is a no-brainer.

This is a no-brainer. This is something we need to do. We passed a very important bill several years ago that funds our highways and our transit. As often happens—because the years pass and the studies take place and you find there were errors in such a big bill that encompasses so many programs—there were certain very important transportation projects, highway projects that got stymied because of a technical problem. We also had one account that was oversubscribed and we need to make some fixes there because that particular account funds research into the state of our bridges, our highways, our transit systems, and we all know with bridges collapsing in America today, we can't short ourselves on the funding. We need to find out exactly what is the state of our fiscal infrastructure.

In a great economy, you can't move people and you can't move goods without a transportation infrastructure. That means roads that are not falling