

The Eagles will hold an autograph session at Conte Forum at 5:30 this afternoon, followed by a victory celebration at 6:15 p.m.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 514 submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 514) congratulating the Boston College men's ice hockey team on winning the 2008 National Collegiate Athletic Association Division I National Ice Hockey Championship.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to consider be laid upon the table, and any statements be printed in the RECORD without intervening action or debate.

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

The resolution (S. Res. 514) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 514

Whereas, on Saturday, April 12, 2008, the Boston College men's ice hockey team (referred to in this preamble as the "Eagles") won the 2008 National Collegiate Athletic Association (NCAA) Division I National Ice Hockey Championship by defeating the University of Notre Dame men's ice hockey team by the score of 4 to 1 in the final game of the Frozen Four;

Whereas the University of Notre Dame men's ice hockey team deserves great respect for reaching the Frozen Four for the first time in the team's history and then advancing to the National Championship game;

Whereas the victory for Boston College marked the Eagles' third national hockey championship, after the team's first championship win in 1949 and its second championship win in 2001;

Whereas the Eagles earned the number 1 seed in the NCAA hockey tournament with an impressive overall record of 24 wins, 11 losses, and 8 ties during the 2007–2008 season;

Whereas the Eagles were led by junior Nathan Gerbe, the Nation's leading scorer in men's college ice hockey, who came in second for the Hobey Baker Memorial Award, with 35 goals and 32 assists during the season;

Whereas the Eagles have made the National Championship game in each of the past 3 years, demonstrating extraordinary teamwork and dedication;

Whereas the remarkable 2007–2008 season also included a memorable victory for the Eagles in the historic Beanpot Championship in February 2008, earning Boston College its 14th Beanpot Championship;

Whereas Boston College "Super Fans" traveled great distances all year and gave the Eagles strong support throughout their championship season; and

Whereas Boston College and its student athletes are well known for their commitment to both athletic and academic excellence, ranking sixth nationally among NCAA Division I schools in the graduation rate of student athletes: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Boston College men's ice hockey team for winning the 2008 National Collegiate Athletic Association Division I National Ice Hockey Championship; and

(B) the players, coaching staff, faculty and staff of the university, student body, and fans whose determination, strong work ethic, drive, and support made the 2007–2008 championship season possible;

(2) congratulates the University of Notre Dame men's ice hockey team for its success in the 2007–2008 season and for reaching the Frozen Four for the first time in the team's history; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Boston College President Father William P. Leahy, S.J.;

(B) Boston College Athletic Director Gene DeFilippo; and

(C) Boston College Head Coach Jerry York.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. 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.

RECESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m. this afternoon.

There being no objection, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. The Senator from California is recognized.

HIGHWAY TECHNICAL CORRECTIONS ACT OF 2007—MOTION TO PROCEED—Continued

Mrs. BOXER. Mr. President, I am very hopeful that our Republican friends had a good meeting about this SAFETEA-LU technical corrections bill and that they decided to work with us to get this job done. This, as we say, is definitely not rocket science. It is a bill that is going to correct some mistakes we made in this enormous highway transportation bill that was passed several years ago. It is going to make very important corrections so the Department of Transportation can proceed to investigate the status of our highways, our bridges, and our transit systems.

The bottom line is, as we get ready for our next highway bill—and, Mr. President, you are such a key player on our committee. You know this as well as I do. We see bridges collapsing. We need to know the extent of the problems we are facing.

Because of a problem in the bill, the account that we need to fund these investigations and studies is oversub-

scribed, which is a fancy way of saying we need to figure out another way to complete our work. That is taken care of in this bill.

We need colleagues to help us. We are not adding one dime to the spending on transportation systems and highways. All we are doing is making technical corrections to make sure some of the projects that have been stymied—let's say because the environmental report came in and said we can't do alternative 1, we have to do alternative 2, and alternative 2 was not authorized—will be allowed to move forward.

I did a press conference today with both management and labor of the building trades. The construction workers are hurting out there. We know we are in a recession. This is a mini-economic stimulus bill. We are not suggesting it is a cure-all by any means. It is a small bill, but it will unleash \$1 billion across this great Nation of ours. When you unleash \$1 billion of spending, what it means is tens of thousands of workers will get jobs. They are doing important projects—fixing bridges, fixing roads, building transit systems—all the good work that makes our Nation work.

I am here. It is about 2:20 in the afternoon. We have been on the floor of the Senate since early Monday. Frankly, this bill could have been done in an hour or two. We are very willing to take the few amendments there are and work with the authors of those amendments. We may have to have just an up-or-down vote because, frankly, we are not going to entertain anything that changes the law. This is just a technical corrections bill. But if there are things we can do to accommodate our colleagues, we are happy to do them.

When I say "we," I not only mean the Democratic members of the committee but the Republican members of the committee. Senator INHOFE has been working very closely with me, and we feel very good about our work together. We managed to get our WRDA bill through, the Water Resources Development Act, in 7 months after it languished 7 years. We can do it on this too. On that we had to override the President's veto. The President sent us a little note that he doesn't love this bill; there is one thing he doesn't like. The fact is, the one thing he doesn't like was signed off on by Republicans and Democrats on the Banking Committee. It has to do with how we prioritize transit projects. The desire of the committee to put this in the bill is a reiteration of SAFETEA-LU. It really doesn't change anything, it just stresses it. The President does not like it, but I am hopeful he is not going to veto. He didn't say he is going to veto. He just said he didn't appreciate the guidance we are giving him. We don't believe it is a veto threat. We believe we can get this to his desk.

Think about how good we will feel to know that people who are hurting can get jobs right now—that is really what

it is about right now—and, frankly, companies that are hurting can get contracts.

Again, this is a no brainer, for want of a better term. This is something we should do. We should do it quickly. I stand by ready, willing, and able to get this work done.

I do not see anyone else on the Senate floor wishing to speak. Mr. President, I will be back when I have to be back.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, here we are. It is 2:15, 2:20. The caucus has ended for the Republicans, and there is still no decision on the momentous decision on whether we can legislate on a technical corrections bill. It is too bad that we cannot move forward; we have so much to do in this body to meet the needs of the American people. We need to do something about the reauthorization of the Federal Aviation Agency. We have an equal pay issue we have to deal with. We have a veterans health matter we have to deal with. We have to deal with a long list of legislation, and we are being stopped from doing that today. We were stopped from doing it yesterday. We were stopped from doing it on Thursday.

I want to be spread on the record that this obstructionism of the Republicans has been carried to a fine art. They are doing a great job. They are basically obstructing everything, stalling for time to maintain the status quo. We have had 7-plus years of this administration which has brought this country down, not up. We have an economy that is staggering. We have a housing crisis like we have rarely seen—maybe during the Great Depression but not since then. We have a war that is costing us \$5,000 a second, and the Republicans want to maintain the status quo.

The only thing they talk about is let's have the Bush tax cuts go on a little bit longer. Let's do tort reform. It is no longer a serious debate on legislation. It is a serious debate on how to keep attention away from the failed Presidency of George Bush.

We can have a vote at 11:30 tonight, approximately. It takes a majority vote. That is all it takes to move forward on this legislation. Until then we can do nothing. We cannot legislate until the 30 hours is used. In the 65 or 70 filibusters they have conducted in the Senate—my math is not good enough instantaneously to tell you how many hours we have eaten up on days like this just doing nothing, just letting the statutory 30 hours run out—but during that period of time we real-

ly can't do anything. They know that. But I believe the American people will recognize in November what has happened in the Senate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ALLARD. I ask unanimous consent that I speak as in morning business.

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

TAX REFORM

Mr. ALLARD. Mr. President, I rise today to talk about an issue that is very important to the hard-working men and women of our great country; that is, tax reform. I believe the Federal tax burden is excessive and overly intrusive. Reform of the IRS and the current tax system is long overdue.

If our Democratic colleagues have their way, the Tax Code will continue to be excessive and overly intrusive. In recent years it has become abundantly clear to me that we have lost sight of the fact that the fundamental purpose of our tax system is to raise revenues to fund our Government.

In its current application, the U.S. tax system distorts the economic decisions of families, of businesses, leading to an inefficient allocation of resources and hindering economic growth.

Our tax system has become unstable and unpredictable. Frequent changes to the Tax Code have caused volatility that is harmful to the economy and creates additional compliance costs. The tax system was originally intended to be an efficient and simple system designed to raise revenues for our national defense, social programs, and vital Government services. However, the current tax system is now so complex that approximately \$150 billion is spent each year by taxpayers and the Federal Government to make sure that taxes are tallied and paid correctly. This is an enormous expense and a waste of resources. At present, the United States has instituted a tax system that thwarts basic economic decisions, punishes wise and productive investments, and rewards those who work less and borrow more.

As it stands, the quagmire that is our existing Tax Code penalizes savings, contributes to the ever-increasing cost of health insurance, and undermines our global competitiveness. More disturbing is the fact that Americans spend more than 3.5 billion hours doing their taxes, which is the equivalent of hiring almost 2 million new IRS employees; more than 20 times the agency's current workforce, I might add.

On average, Americans spend the equivalent of more than half of one work week; that is, 26 hours, on their taxes each year, not to mention the

amount of time they work to pay the taxes themselves. At the end of the day, despite our lengthy codified tax law, there is no evidence to suggest that Americans know how much they should be paying in taxes in any given year or why.

Our Tax Code should aspire to be clear and transparent, rather than multifarious and convoluted. Everyone should be able to have a basic understanding of the Tax Code, knowing how and why they are taxed. The Tax Code's constant phase-ins and phase-outs are a nuisance at best and a negative force, at worst, in the daily economic lives of American families and businesses.

Moreover, taxpayers with the same incomes, family situation, and other key characteristics often face different tax burdens. This differing treatment creates a perception of unfairness in the Tax Code and has left many Americans discouraged.

At present, how much or little taxpayers pay in taxes is sometimes dependent on where they happen to live and the choices made by their employers.

In 1986, President Ronald Reagan, a true visionary in this area, signed the Tax Reform Act of 1986 which reduced top marginal individual rates from 50 percent to 28 percent, increased the standard deduction, and reduced the top corporate tax from 50 percent to 34 percent. In doing so, this reform act simplified the Tax Code, broadening the income tax base, allowing for lower marginal rates, and curtailing the use of individual tax shelters.

While the 1986 act was a step in the right direction, unfortunately, it did not produce a long-lasting transformation of our tax system. Today, our tax system bears little resemblance to the simple low-rate system promised by the 1986 reform. This is due to constant tweaking over the years. More than 100 different acts of Congress have made nearly 15,000 changes to the Tax Code.

Public opinion polls indicate that Americans believe taxpayers should not have to pay more than one-fourth of their income to the Government. The current Tax Code hardly reflects this perspective. Depending on the level of income, the amount of deductions, and the type of family, one's income can be taxed at 25 percent, 28 percent, 33 percent, or 35 percent.

I support broad-based tax reform and a simplified tax system. It is my belief that any reform to the current tax system should benefit the middle class. The vast majority of taxpayers are the middle class, and they have borne the burden of the current system.

While I was a member of the Colorado Legislature, we implemented a 5-percent flat tax for Colorado. I believe we should take a similar approach on the Federal level. While I would be willing to consider a flat tax or a sales tax or other plans on the Federal level, it is important that any replacement

plan be simple and fair. The replacement system must provide tax relief for working Americans. It must protect the rights of taxpayers and reduce our collection abuse. But most importantly, a new system must eliminate the bias against savings and investment and against economic growth and job creation.

No one can deny that our Tax Code is in dire need of reform. Its complexity, lack of clarity, unfairness, and disproportionate influence on behavior has caused great frustration. Our current Tax Code has been shaped by goals other than simplicity, by intentions other than helping the taxpayer plan ahead, and by objectives other than expanding our economy. Not only has it failed to keep pace with our economy, frequent changes have made it unstable and unpredictable. Years of hodgepodge Government interference and ad hoc meddling have left our Tax Code in shambles. While we cannot change the past, we can learn valuable lessons from the same and remedy our mistakes.

If we do not take steps to immediately simplify and reform the Tax Code, it will become more complex, more unfair, and less conducive to our economy's future growth.

Small reforms are not enough. A total overhaul of the existing system is the only chance we have of righting this wrong and getting our economy and our deficit back on track.

Raising taxes is not an option. Our Democratic colleagues seem to believe that raising taxes or doing nothing about taxes is the best policy. Just last month, Democrats proposed raising taxes on the average American family by \$2,300 per year. Earlier this year, Democrats passed a proposal calling for the largest tax hike in history. If Democrats continue down this path of tax increases and a do-nothing tax policy, more and more American families will suffer.

It is important to point out that to do nothing on the Tax Code means a tax increase is going to happen within the next several years. A do-nothing policy on taxes will allow for the expiration of several key tax provisions. It will further the reach of the AMT, the alternative minimum tax. We will see a tax increase of more than \$1.2 trillion over the next 10 years.

At a time of economic uncertainty, raising taxes and taking money out of the pockets of the American people should not be the goal of the Congress. We must act now. We have a responsibility to our constituents and the Nation to resolve the predicament the current tax system has put us in. If we do not act sooner rather than later in reforming our tax system, it will continue to become more complex and cumbersome.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DEMINT. Mr. President, I want to take a few minutes to speak on the transportation technical corrections bill, which we will be discussing this week. Later on I will offer a motion to recommit, with some considerations I would like to address now.

A lot of us were part of moving this through Congress. It is an important transportation bill, when roads and bridges are in desperate need of funding for repairs and widening.

There were over 6000 politically directed earmarks in the original highway bill. Now, the corrections bill involves 500 of those earmarks. I thought we should talk about the bill and what this means, as far as transportation in the United States.

First, I want to thank Senators BOXER and INHOFE for all of the work they have done on transparency on this legislation. While I strongly believe we should put an end to the practice of earmarking, if the Senate is going to earmark, it must do it in a transparent manner. I believe the chairwoman and ranking member have set an example for all committees in providing information in a way that people can look at it and debate it. It is all right for us to disagree on whether we like earmarks. In this case, we can do it with full disclosure of what is actually in the bill.

The American people deserve to know how their elected representatives are spending their money, and the way this bill handles earmark disclosure helps us do just that. The Senators from California and Oklahoma have disclosed the sponsor, the recipient, and the purpose of the earmarks in this bill, in addition to letters disclosing that the sponsors have no financial interests in the particular earmark. I was also pleased to see that disclosures were made in a timely manner so we could review them before we began consideration of the legislation. They have gone beyond the requirements of the Senate rules, and I applaud them for their commitment to transparency. I hope the other committees are equally committed to transparency.

My colleagues have suggested on the floor that this bill is needed so States can move forward with planning and construction of authorized projects from the last highway reauthorization bill. As with all large bills, there were typos and other errors in this bill, and the technical corrections bill we are discussing this week was designed to correct those technical errors and problems. I think that is something, obviously, we need oftentimes to do with most of our legislation. But instead of correcting the errors from the last reauthorization bill, the committee decided to rewrite public law and add contract authority as well as add to spending levels for certain

projects, essentially adding new earmarks to the bill.

The President's statement of administrative policy regarding this technical corrections bill contains strong language critical of this legislation, and let me quote some from that SAP.

The administration notes with strong concern that the majority of the bill is devoted to earmarks. The bill modifies hundreds of earmarks from a bill that passed in 2005, effectively creating new earmarks, including a stand-alone section that would provide mandatory funding for magnetically levitating rail. The effort through H.R. 1195 to modify these earmarks from an authorization that passed only three years ago is a further reflection of those inefficiencies. Therefore, the Administration urges that these provisions be removed from the bill.

That is effectively what my motion will address when we offer it later in the week.

Again quoting from the administration's position on this bill:

The administration urges Congress to restrict the bill to true technical changes. For example, in addition to those noted above, both the Senate-proposed substitute and the underlying bill contain substantive changes to statutory provisions regarding waiver procedures for Buy America requirements that should be removed from the bill because they are not technical corrections. In addition, section 104 of the substitute would repeal section 111(d) of title 23 of the U.S. Code, which allows idling reduction facilities at public rest areas in Interstate rights-of-way. This provision is a policy change, not a technical amendment. Repealing this section of the U.S. Code would eliminate a beneficial initiative first proposed by this administration.

We have heard for the past months, and will continue to hear today, that Members of Congress know what is best in their districts—know better than some unelected Federal bureaucrat. If a Member of Congress knows what is best for their district, then why are we debating a 138-page so-called technical corrections package? I suppose some of these are drafting errors, and I do not deny there should always be room for some error in the legislative process. But page after page of corrections does not speak well for our whole earmarking process.

The 1982 highway bill had only 10 earmarks. That number rose to 538 in 1991, and 1,800 in 1998. The SAFETEA-LU highway authorization bill we are talking about today contained an inexcusable 6,000 earmarks, at a cost of well over \$20 billion and now nearly 500 changes in the technical corrections package. A 2007 report by the Department of Transportation Office of Inspector General, requested by Senator TOM COBURN, found that DOT earmarks have increased in number by 1,150 percent from 1996 to 2005—an incredible increase—and, as we can see, a number that has been very difficult for us to manage effectively here in the Congress.

This administration has projected that the highway trust fund will have a negative balance of \$3.2 billion by 2009 if we continue on the path of outspending the receipts in this account.

So piling on the additional authorization levels to projects in this technical corrections bill will only further deplete the highway account and cause the highway trust fund to be bankrupt sooner than projected.

I know the case has been made that this technical corrections bill does not increase the overall amount, but as we went back through this and found numerous earmarks that were no longer needed or even wanted, instead of moving that money to savings, we moved it to earmarks, and new earmarks, and to add to additional earmarks at a time when we need to be trying to save money to overcome the projected deficit. Congress needs to take a timeout and examine the country's infrastructure priorities instead of relying solely on Members of Congress transportation earmarks.

Of most concern is that many of the earmarks requested and funded in highway authorization bills are neither the most effective nor efficient use of funds. Many of them, such as an earmark for renovating the Apollo Theater, have nothing to do with transportation. Senators and House Members have picked particular projects for funding that they know will result in their gaining political support. They will get more votes in their reelection campaigns for bringing home the bacon, but funding will be redirected from highway projects where it is most needed.

This is why I have proposed this motion to recommit, that will send this bill back to the committee and require that the bill be reported back to the Senate with an amendment that eliminates any provision in the bill that increases spending for earmarks that are contained in the SAFETEA bill. Increasing spending for existing earmarks is simply not a technical correction, and such provisions do not belong in this legislation, that is intended to only correct the technical aspects of the bill.

Here are a few examples of provisions in this bill that are not technical corrections but are actually inserting new earmarks into law or significantly increasing funding for existing earmarks.

Page 18 amends an earmark in current law that provides \$800,000 for an intersection project in Pennsylvania by striking the \$800,000 designation and increasing the earmark to \$2.4 million. That is not a technical correction.

On page 19, we amend an earmark in current law that provides Federal funds for widening two blocks of Poplar Street from Park Avenue to 13th Street in Williamson County, IL, by striking that description and inserting the following new earmark, which is to construct a connector road from Rushing Drive north to Grand Avenue in Williamson County. It is not a technical correction. It is a new project and it is the elimination of another one.

Page 22 amends an earmark in current law that provides \$800,000 to widen State Road 80 in Henderson County,

FL, by striking the \$800,000 figure and inserting \$1.6 million. We double the earmark amount.

Page 29 amends an earmark in current law that provides \$2.7 million for upgrades to an interchange in Pennsylvania by striking the \$2.7 million amount and increasing the earmark to \$3.2 million.

Page 35 amend a New York earmark in current law that provides \$4 million for Miller Highway improvements by striking the existing earmark and inserting the following new earmark: pedestrian paths, stairs, seating, landscaping, lighting, and other transportation enhancement activities along Riverside Boulevard and at Riverside Park South. This is not a technical correction, and it is one of the reasons we are not rebuilding and improving and maintaining bridges in America, because we are focused on things that are not basic infrastructure.

Pages 63 and 64 amend a New York earmark in current law that provides \$500,000 for design and construction of an access road to Plattsburgh International Airport by striking this description and inserting the following new earmark: preparation, demolition, disposal, and site restoration of Alert Facility on Access Road, Plattsburgh International Airport.

So we found we didn't need the money in one area, but we found a new area, instead of saving it, as we apparently need to do to keep the Highway Trust Fund on the path of solvency.

The most glaring example of a non-technical correction made by this bill is the MAGLEV section, which provides \$90 million over 2 years in mandatory spending for a MAGLEV rail project from Nevada to California. Under current law, this project was simply between two cities in Nevada, but this technical corrections bill paves the way for extending this project all the way to California and leaves the Federal Government on the hook for paying the price tag.

How will this project expand Federal spending? Well, first, it jams all the funding into the last 2 years, which increases the baseline from \$30 million in 2009 to \$45 million. The way we fund things here is based on year-to-year baselines. It turns the funding from an authorization to direct spending. In the original bill, it allows the funding of a project. Now it requires the funding of a project. It extends the Federal project from Primm, NV, to Anaheim, CA, and it involves the Federal Government in a dubious construction project that will create an unwanted transportation mode, the cost of which will likely expand considerably.

Along this same route, a private company has raised billions of dollars to build a high-speed rail corridor from Nevada to California without any taxpayer money. Our role in Government should be to make the private sector work, not to replace it and to compete with it with taxpayer dollars.

In addition to increasing Federal funding, this provision inserts the Gov-

ernment into a business that appears to need no propping up from taxpayers. Press reports indicate that the MAGLEV route is nearly identical, as I mentioned before, to a completely privately financed rail project, which is estimated to cost between \$3 billion and \$5 billion. This legislation would use taxpayer dollars to fund a government project that is in direct competition with an existing privately funded effort.

The Government does not need to be replacing private sector involvement. In 2005, the Los Angeles Times had this to say about MAGLEV:

The long-running debate over MAGLEV trains is a battle between faith and reason. They have to rely on faith because there is very little evidence of the practicality of these systems. Only one commercial high-speed MAGLEV train exists, covering a 19-mile stretch from Shanghai to Pudong International Airport. Why spend so much money, especially if it's from taxpayers, when you might get more bang for the buck out of cheaper alternatives? That the Primm line has gotten this far is a tribute to the power and determination of the Senate Majority Leader, who undoubtedly sees MAGLEV as promising a new transportation system for pork.

The Associated Press also reported a few weeks ago that the country of Germany has canceled its initiative to build a MAGLEV link to the Munich airport, citing escalating costs. Germany's transportation minister told reporters that it was "not possible to finance the project" since the cost had more than doubled.

I guess anything is possible when it is taxpayer money, but, clearly, building an unproven experimental project, where private money is already accomplishing the same thing, does not make very much sense. In this transportation bill, not only will this experimental rail provision eventually cost billions in Federal funding and insert the Government into the private market, where it doesn't belong, it would most likely also be bad for consumers. According to my last check on the Internet, the nonstop flights from Los Angeles to Las Vegas are 1 hour 10 minutes and cost only \$118 for a round trip. That is \$59 each way.

I ask my colleagues how much these MAGLEV trips will cost. Are we absolutely certain it will cost less than \$59 each way? If not, why would not consumers fly?

I would hazard a guess here that if we were asking Members of the Senate to invest their own personal money in this project, not one would reach for their wallet. But this is taxpayers' money we are spending on something none of us would do as individuals.

Even the administration has weighed in on this provision stating that the bill modifies hundreds of earmarks from a bill that passed in 2005, effectively creating new earmarks, including a stand-alone section that would provide mandatory funding for magnetic levitating rail. The administration urges these provisions be removed from the bill.

We are not talking about technical corrections. These provisions increase funding for existing earmarks and create new earmarks. Proponents of this legislation will argue that the bill spends no new Federal dollars and, in fact, even saves taxpayers a few million dollars. While that is true, the bill accomplishes this by rescinding funds left in the Treasury that were never used by a few earmarks previously authorized by Congress. However, it is clear to me that this bill is just another way for Congress to create new earmarks, increase spending for existing earmarks without actually appearing to be doing just that.

In addition, by shifting existing funding from one earmark to be used for a completely new earmark, this bill also creates new projects which now rely on the Federal Government to continue their funding in the future. In the long run, this legislation encourages wasteful Washington spending through the broken process of earmarking.

Here is an example of a true technical correction included in this legislation. On page 24 of the bill, there is a provision that would strike the word "country" and insert the word "county" in an earmark for "New County road on Whidbey Island" in Washington State. The current law refers to this road as "New Country Road," which was a mistake, and this bill would correct that error by inserting the word "county." Clearly, this is a true technical correction and represents the spirit of what this bill was intended to accomplish, which is to correct technical errors contained in current law.

Another argument we hear is that earmarking Federal tax dollars is our "constitutional obligation." Our colleague, Dr. Coburn, wrote an excellent article entitled "Founders vs. Pork" addressing this bogus claim. I will not read the article in its entirety, but I commend it to all my colleagues. It contains some excellent quotations which I will share.

Thomas Jefferson, in a 1796 letter to James Madison regarding federally funded local projects, said that "[O]ther revenues will soon be called into their aid, and it will be the source of eternal scramble among the members, who can get the most money wasted in their State; and they will always get the most who are the meanest."

In a 1792 letter to Alexander Hamilton conveying what he believed to be the public's perception of government, George Washington cited worries about the "increase in the mass of the debt," which had "furnished effectual means of corrupting such a portion of the legislature, as turns the balance between the honest voters[.]" Hamilton, who famously clashed with Jefferson and Madison on fiscal matters, responded that "[e]very session the question whether the annual provision should be continued, would be an occasion of pernicious caballing and corrupt bargaining."

The importance of transparency in Government operations was also recognized by Jefferson. In 1808, he wrote:

The same prudence, which, in private life, would forbid our paying our money for unexplained projects, forbids it in the disposition of public moneys.

As I said before, I doubt very seriously any Member of this Senate would invest their own money in an unproven technology over a route where there is already going to be private competition.

Jefferson also astutely recognized that large amounts of spending would inevitably lead to outside efforts to redirect that money. He wrote in 1801 about the need "to reform the waste of public money, and thus drive away the vultures who prey upon it[.]"

George Washington noted in 1792 that no mischief is "so afflicting and fatal to every honest hope, as the corruption of the legislature."

Congressional approval ratings, as we all know, are now at record lows because taxpayers do not believe we are being honest or open about how we spend their money.

One might argue that earmarking is a simpler system. There is really no meddling by bureaucrats, no cost-benefit analysis, no hearing just a big pie that is sliced up into pieces of varying sizes, with the senior Members getting the biggest slice. But this is no way to run a government or a country.

This bill proves that the so-called simplicity of the system is not all it is cracked up to be. One of the changes in this bill involves removing an earmark that was not even wanted but was secretly put into a bill after the bill had already passed. Now, that is the sort of technical correction we should be passing right now. Why did it take so long to identify an earmark that was not wanted or needed? Fortunately, in this bill, we could remove it. Senator COBURN has an amendment that will force an investigation of this bizarre process by which an earmark finds its way into a bill that already has passed. I look forward to the findings. I encourage my colleagues to support it.

I applaud the committee for providing earmark disclosure, more earmark disclosure than we have seen out of most committees. Senators BOXER and INHOFE are to be commended for their effort they have made to comply with the letter and the spirit of the law. As I said, I hope all the committees will follow example. However, this bill does not have a committee report. In that sense, Senators have been denied the tools we customarily rely on to decipher massive catchall bills such as this. For example, without the "changes in existing Law" document, which is contained in all committee reports, we are theoretically supposed to go through each earmark and try to figure out what it is amending. Since it is almost certain that few Members will actually do this beyond projects they inserted in the bill personally, the bill is largely a series of meaningless

paragraphs. For example, section 105 of the bill is 63 pages containing 386 earmarks. These earmarks contain such illuminating descriptions as "In item number 753 by striking \$2,700,000 and inserting \$3,200,000." That is all we know unless we go back to the original bill to figure it out. The earmark description for this one simply says it is from BILL SHUSTER and gives the SAFETEA-LU section it amends. Even with the list of earmark descriptions, one has no idea what this amendment does without going to the underlying bill. When you look at the law, you see that it has to do with "Widening of Rt. 22 and SR 26 in Huntingdon. Upgrades to the interchange at U.S. Rt. 22 and SR 26." I still have no idea why this project needs a \$500,000 plus-up, but at least I have a general idea what the project is. But, again, I do not expect that any of my colleagues actually looked up this earmark.

This bill highlights the fact that this is a terrible way to write legislation, where we all decide the different projects we want and force them in a single bill. This bill demonstrates to me and the American people that earmarking is out of control and that the process is inefficient.

We are spending time on the Senate floor to pass 138 pages of "fixes" to mistakes and errors relating to existing earmarks. I say to my colleagues, we have much more pressing needs that deserve our time and attention, such as providing health insurance to the millions of uninsured across this Nation, making health care more affordable, and passing the FISA reauthorization bill to protect our homeland. Instead, we are spending precious time fixing earmarks—hardly a high priority with taxpayers who are disgusted with the way their hard-earned tax dollars are being wasted now.

I urge my colleagues to support this amendment. Again, it does not strike any earmarks that are in law. It allows all the technical corrections that are included in this bill, but it simply says we would eliminate any new earmarks in this bill and any increases in existing earmarks. I think that is what a technical corrections bill should be.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I intend to speak for a few minutes on behalf of the committee in response to the comments made by the Senator from South Carolina. I ask unanimous consent that the Senator from Georgia then be recognized for up to 5 minutes to talk as in morning business and then followed by the Senator from North Dakota.

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

Mr. CARDIN. Mr. President, I first thank my colleague from South Carolina for acknowledging that the process that was used on this technical corrections bill was a very open process, one in which all the changes were open for

public review and scrutiny, well identified, and a process in which any Member or any person could evaluate the merits or demerits of what we were attempting to do.

Second, let me point out that this is a technical corrections bill—and I am going to respond to one of the projects specifically that the Senator from South Carolina has talked about—but that it is a normal process when we pass a large bill to go through a technical corrections process in order to correct mistakes that were made or clarify or, as priorities change, to deal with the regions to make sure the Federal programs are properly targeted to the needs. This is a technical corrections bill.

Third, let me point out that the regions have come to us to ask for clarifications or modifications of projects within the area, not increasing the costs. I thank the Senator from South Carolina for pointing out that this legislation does not increase costs; in fact, it will save some money. I appreciate him pointing that out.

So we are in agreement on all those points. We are going to save money. It corrects mistakes that were made, and it deals with regional priorities that have been requested of us, consistent with prior authorizations of Congress.

I point out one project, and that is the maglev project. I do not want to debate the merits or demerits of the maglev project because I do not think that would be appropriate on a technical corrections bill. But where the Senator from South Carolina is incorrect is that this is a technical correction of prior actions of Congress. It provides contract authority. That is what we intended to do in the SAFETEA-LU Act. So this is not anything new in maglev. The areas that are involved were the same areas that were previously identified. It does not expand the project and makes technical corrections as far as contract authority.

What the Senator from South Carolina is debating is the merits of maglev, and this is the wrong bill on which to debate that. By the Senator's own admission, this is a technical corrections bill, and we should just be talking about whether the language is what was intended by Congress in its previous actions, and clearly it was, to make sure we do it right based on previous actions.

I hope the Senator from South Carolina will heed his own advice; that is, let's make the technical corrections bill deal with those types of issues. And I am afraid his amendment would not. As now explained to us, he wants to eliminate some of these projects, and that is not the purpose of a technical corrections bill. I can understand Members being concerned about that approach. I am proud of the work of the committee. The committee did identify those—and it is relatively few when you consider how many authorizations are in the SAFETEA-LU Act—to clar-

ify and, in some cases, to make typo corrections and things such as that.

It is vitally important to move this bill forward so we can move forward on vital transportation projects that affect every one of our States. I urge our colleagues to support the committee and support the process, the very open and fair and transparent process that was used by the committee in developing the changes that are in this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

JACKIE ROBINSON

Mr. CHAMBLISS. Mr. President, I rise today to commemorate a seminal moment in our Nation's history. On this day in 1947, Jackie Robinson broke the color barrier to Major League Baseball after years of segregation.

Jack Roosevelt Robinson was born in 1919 to a family of sharecroppers in Cairo, GA. Cairo, the home of the syrup makers, is a small town in south Georgia located about 35 miles from my hometown of Moultrie.

As you can imagine, Jackie was very talented and did extremely well at sports. At UCLA, Jackie became the first athlete to win varsity letters in four sports—football, basketball, baseball, and track. He was even named All-American in football.

Jackie enlisted in the U.S. Army in World War II, and following his discharge in 1944, he played the season in the Negro Baseball League and a couple of years in minor league ball.

In 1947, following Jackie's outstanding performance in the minor leagues, Brooklyn Dodgers vice president Branch Rickey decided it was time to integrate Major League Baseball, which had not had an African-American player since 1889. When Jackie first donned a Brooklyn Dodgers uniform, he led the way to the integration of professional athletics in America.

In his first year, he hit 12 home runs and helped the Dodgers win the National League pennant. That year, Robinson led the National League in stolen bases and was also selected Rookie of the Year. Robinson succeeded in putting racial conflict and prejudice aside to show the world what a talented individual he was. His success in the major leagues opened the door for other African-American players.

Jackie Robinson himself became a vocal champion for African-American athletes, civil rights and other social and political causes. After baseball, Robinson became active in business and continued working as an activist for social change. He was the first African-American inducted into the baseball Hall of Fame and, in 1997, his number was retired by Major League Baseball.

I can recall, as a small boy, being a Brooklyn Dodgers fan. The main reason was because my older brother was a New York Yankees fan and the perennial World Series game was between

the Dodgers and the Yankees, so it was a natural rivalry that my brother and I have. I have very vivid memories of watching Jackie Robinson play ball on TV and having great admiration and respect for him as an athlete. It was Jackie Robinson who paved the way for so many great athletes today.

Little did he know, back then in 1947, that he would be followed by the likes of Larry Doby, Willie Mays, and my good friend, Hank Aaron. But what a great inspiration he has been for all of America. Today, I honor the man who stood boldly against those who resisted racial equality, and I acknowledge the profound influence of one man's life on the American culture. Jackie Robinson's life and legacy will be remembered as one of great importance in American history.

I will yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, if people are by any chance watching the proceedings of the Senate this afternoon, they may wonder what on Earth is happening or more likely what is not happening. It has become customary, when we try to do business in the Senate in recent months, that we discover there is a filibuster that requires a cloture motion to be filed on almost anything. On the Senate floor today, as I understand it, we are on a 30-hour postcloture period on a motion to proceed to a technical corrections bill. That is almost unbelievable to me.

It is not unusual. We have had 65 filibusters in this Congress. Why would someone require a cloture motion to be filed in order to break a filibuster on a motion to proceed to a technical corrections bill? The only conceivable reason to do that is to stop the Senate from doing anything. I guess those who have been doing this in the minority party have been pretty successful.

Today is tax day, April 15. One might ask, if we were not doing this—standing around and gnashing our teeth and wiping our brow, wondering why we can't move this—what would we be doing? If we didn't have a minority that insists on a motion to proceed, a filibuster, a cloture motion and 30 hours postcloture, what would we be doing?

We would probably be doing some worthwhile things. It is not that the underlying bill is not worthwhile, it is. It should be done quickly and easily. It is a technical corrections bill. But what, for example, could we do?

I thought, because it is April 15, a day a lot of people recognize as a day of obligation to pay their taxes, I would mention perhaps a few of the things we could be doing on the floor of the Senate if we had a bit of cooperation and if we could get the minority party to agree—and in every one of these cases, certainly we could not. But let me describe what we might do, just on the Tax Code.

The Government Accountability Office found that 59 of the 100 largest

publicly-traded Federal contractors—that is companies that did work for the Federal Government in 2001—had established hundreds of subsidiaries located in offshore tax havens to avoid paying taxes to the United States of America. They want all the benefits you can get from being a contractor for the Government, but they do not want to pay taxes to this country.

I discovered this some long while ago. It actually comes from an enterprising reporter named Dave Evans with Bloomberg News. I mention that because it is important. He discovered that in this building in the Cayman Islands, a 5-story white building on Church Street, there are 12,748 corporations that call it home. They are not there. It is their post office mailing address for the purpose of saying they are in the Cayman Islands to avoid paying U.S. taxes.

If we were not spending our time at parade rest, or posing as potted plants because the minority doesn't want to move ahead on anything, not even a motion to proceed on a technical corrections bill, are there other things we can do? We could solve this, couldn't we? We could say: If you are going to run your income through a subsidiary in a tax-haven country to avoid your obligation to the United States, maybe you don't need to contract with the Federal Government. Maybe you don't need to get the Federal Government's business. Or perhaps on tax day, we might say we will close this tax loophole—just like that. If you are not doing substantive business in a tax-haven country, we will not recognize you as having gone to a tax-haven country, and you will pay taxes as if you never left our country.

If we were not seeing all these interminable delays, perhaps we would pass legislation that I have offered previously, and that is to say to American companies: If you shut your manufacturing plant, fire your workers and move your operations overseas, you are not going to get a tax break anymore. Someone might say: Do they get a tax break for that? They sure do. Let me give an example. I assume that almost everyone has ridden in a Radio Flyer Little Red Wagon. It was made for 110 years in Illinois, in Chicago, IL. Radio Flyer Little Red Wagon was created by an immigrant who came here and created a big business.

The thing is, after 110 years the Radio Flyer Little Red Wagons are not manufactured here. They are all gone. They are in China. Every Radio Flyer Little Red Wagon is now manufactured in China. By the way, the company got a tax break to move the jobs to China.

I have spoken often on the floor about Huffy bicycles—20 percent of the American bicycle market and made in Ohio by workers who were earning \$11 an hour plus benefits. Not any more. They all got fired in Ohio and all these jobs were moved to Shenzhen, China. Huffy bicycles are made by people who work 12 to 14 hours a day, 7 days a week, for 30 cents an hour.

Do you know what the workers at Huffy bicycle did the last day of work, as their plants were closed down? As they pulled out of their parking spaces, the workers left a pair of empty shoes where their car used to park. It was their poignant way to say: You can move our jobs to China, but you are not going to fill our shoes. This company received a tax break for moving jobs to China.

Fruit of the Loom underwear—everybody knows about Fruit of the Loom underwear. You remember, they used to do commercials with the dancing grapes. I don't know who would dress up as a grape and dance, but I guess they got paid to do that, so you have commercials of dancing grapes advertising Fruit of the Loom underwear. The problem is, there is no Fruit of the Loom underwear made in America anymore because they all went offshore to be produced and the company got a tax break to do it. Why? Because this specific company did that? No, because companies that shut down their American manufacturing plants and move their jobs overseas get a tax break from this country. It is the most pernicious thing I have ever seen. I tried four times to correct it on the floor of the Senate. I ask people to look up the votes and see who is standing up for American jobs and American workers.

Perhaps we could do that on tax day, maybe fix that problem and say: At the very least, let's stop subsidizing, through the Tax Code, the shipping of American jobs overseas.

Here is another thing we could probably do if the minority weren't requiring cloture motions and engaging in 65 filibusters, which take up dead time.

I should point out for anybody watching or listening, nothing can be done during this period. We are in a 30-hour postcloture period on a motion to proceed—not even on the bill, on a motion to proceed to a technical corrections bill. So this 30 hours is dead time, designed by the minority because they do not want us to do anything we probably could do on this tax day.

We have a Tax Code that allows almost unbelievable tax breaks to some companies. This happens to be a streetcar in Germany owned by an American company. Why? Because they are experts in streetcars in Germany? No, because they get big tax breaks when they do this.

This is a sewer system in Germany. Wachovia Bank, a U.S. company, was buying sewer systems in Germany. Think of that—do you think it is because they are experts in sewer systems? No. Do you think they wanted to buy a sewer system and move it to America? No, not at all. They want to buy sewer systems in Europe so they can avoid taxes in the United States, because if you buy a sewer system from a European city and you now own it, you can actually depreciate it and then lease it back to the city and everybody makes money—except the American taxpayers and the Federal Government

loses money. Maybe, since it is tax day, we could shut down this tax scam, although the President has threatened to veto legislation that shuts down these kind of tax scams, for reasons I don't understand.

But we could try. We could decide, you know, if working folks pay taxes, maybe everybody else can pay taxes. Perhaps we can pass a piece of legislation that says those on Wall Street who are getting what is called carried interest, some of the wealthiest people in the United States, should pay a higher income tax rate than 15 percent. Almost everybody pays a higher income tax rate than 15 percent, but those who are making the biggest money on Wall Street in the form of what is called carried interest, they are laughing all the way to the bank. They get a 15-percent tax rate. Perhaps we could change that.

Perhaps another thing we could do this afternoon, if we were not forced to 30 hours of dead time, is we could deal with what the Internal Revenue Service is doing by farming out tax collections that need to be made—these are people who owe taxes—to debt collection agencies in the private sector. This is going to be hard for anybody to believe or understand, but here is what they have done. This administration is so anxious to privatize and farm out everything, they have gone into the Internal Revenue Service and said let's farm out these collections of taxes owed, so they have contracted with a couple of companies. The problem is that this privatization program lost \$50 million in its first year and is expected to lose more this year.

The IRS's private revenue collection target for the current fiscal year was \$88 million. But they now project that the program will collect only \$23 million. After excluding commissions, ongoing operational costs and capital investments, the IRS will still be \$31 million in red this year.

It is unbelievable. How can the Internal Revenue Service contract with a company that is going to lose money collecting taxes? I have a piece of legislation that says stop it. Maybe we could work on that and pass that legislation today—see if we could find some deep reservoir of common sense. The National Taxpayer Advocate who works at the IRS has said: Had that money been spent for collectors at the IRS, they would have raised \$1.4 billion. Instead, they invested \$71 million to use private collectors and returned just \$32 million in 2007. So they missed it by about \$1.368 billion. Isn't that incredible?

Does anybody care? Apparently not. We are in 30 hours dead time on a motion to proceed to a technical corrections bill, guaranteeing nothing can be done on the floor of the Senate.

There are a couple of other things we might consider when we are thinking what could we do this afternoon in this dead time.

This is a photograph of Mr. Efriam Diveroli. He is the chief executive officer of a firm that received \$300 million in U.S. Army contracts. He's 22 years old. His dad actually started a shell company back in the 1990s, and then he took it over. He said he was the only employee, except it lists a vice president. The vice president is a massage therapist. He is 25 years old.

So here we have a 22-year-old chief executive officer and a 25-year-old massage therapist running a company in Miami. They got \$300 million from the U.S. Department of Defense to provide ammunition to the Afghan fighters.

Let me describe where they are. They are in this building. No, they do not own this building; they are in a little part of this building with an unmarked door. So you have a 22-year-old and a 25-year-old massage therapist working out of an unmarked office in Miami, FL; Miami Beach, FL, and they are supposed to, with \$300 million, provide ammunition to the Afghan fighters on behalf of the U.S. Defense Department.

Here is a picture of the ammunition. Some of it is ammunition from China from the 1960s. You can see what it looks like. And the Afghan fighters were saying: Wait a second. What are you sending us? Bullets that do not fire? Now, I must say, the New York Times deserves some real credit. Three people wrote this story. The New York Times, I can tell from the story, they traveled around the world to get the details.

Now, we did not do it. We should have. We should have done it in something called a Truman committee. The bipartisan Truman committee was created in the Second World War, run by Harry Truman. By the way, it started with \$15,000 and has saved the American taxpayer \$15 billion going after waste, fraud, and abuse in defense contracting.

Three times we have voted on a Truman committee in the Congress, and three times it has been turned back by the minority.

Now, I will come later and give a longer presentation about defense contracting and the most unbelievable waste, fraud, and abuse in the history of this country. But we do not need more than the picture of the president of this company who got \$300 million.

The question I started with today is, What could we be doing in 30 hours of dead time, if the minority had not required that there be a cloture petition and had not effectively filibustered on a motion to proceed to a bill that is going to get overwhelming support? I do not understand it.

Finally, we probably could do something about the price of oil or gasoline while we are on the Senate floor during this dead time if we were not prevented by the minority, vetoed by a President's threatened veto pen.

Oil and gas. Well, look, today is Tuesday, and oil is at \$113 a barrel. Some are going to the bank with a big smile on their face, particularly the

large major integrated oil companies because they are making a massive amount of profit. Then other people are wondering: Do I have enough in my gas tank to be able to drive to work tomorrow? How am I going to do that?

So while all of this is going on today, the Federal Government is putting 70,000 barrels of sweet, light crude oil underground in the Strategic Reserve. And they are going to do it every single day all year long, 70,000 barrels a day, stuck underground.

Now, the Strategic Reserve is a decent idea. It is 97 percent filled. Why on Earth would we, when oil has hit \$113 a barrel, continue, through this Bush and Cheney administration, to put oil underground and thereby put upward pressure on gasoline prices and oil prices? It makes no sense at all.

So, perhaps, were the dead time not required by the minority, we could work on that, or perhaps with respect to the price of gasoline and oil, we could work on increasing the margin requirements for those who are speculating in the futures markets.

The commodities futures market, especially for oil, is an unbelievable carnival of speculation. Do you know that when you buy stocks, there is a 50 percent margin requirement. But if you want to buy oil, God bless you, it is only 5 to 7 percent. You want to control 100,000 barrels of oil tomorrow, \$7,000 will do that. That is the margin. So, as a result, you have unbelievable speculation in these markets driving up the price well above that which the fundamentals of oil supply and demand would justify.

Perhaps we can do something about saying to the exchanges: There must be increased margin requirements to stop this speculation hurting our country. It is driving up the price of oil, driving up the price of gasoline in a manner that is completely unjustified. Stop the speculation, stop putting 70,000 barrels of sweet light crude underground every day. Maybe those would be two things we could do when we are required to file cloture petitions to stop a filibuster on issues such as a motion to proceed.

I mean it is unbelievable to me that we find ourselves in this position. There is so much to do, and it is such important work. Yet here we find ourselves with the American people looking in on the Senate and wondering: What on Earth are they doing?

Well, what we are doing is what we are required to do by the rules when one side decides it wants the Senate to stand at parade rest almost all the time.

We have such big challenges in our country. I have mentioned energy. I have mentioned the fiscal policy. I have mentioned health care. We have such big challenges that ought to be our agenda. This country deserves better, and our agenda is, in my judgment, something on which the American people expect us to make progress. They do not expect us to see every single

day, in every way, a filibuster on the floor of the Senate, even on motions to proceed. That is the last thing this American public should expect from a Congress that ought to come to work ready to go to work on issues that really matter in peoples' lives every single day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

MIDDLE CLASS AMERICA

Mr. SANDERS. Madam President, I commend my friend from North Dakota. He is exactly right. The middle class in our country is in deep trouble. Some would argue the middle class is collapsing. And the people of our country are looking to Washington, to us, to get something done. What they are finding is a filibuster on a corrections bill and inaction in every single area that faces working people in our country.

A couple of weeks ago in Vermont we held several town meetings on the economy. I invited Vermonters to respond to our Web site about what the collapse of the middle class means to them personally. I think it is one thing for those of us to give a speech, to use huge numbers, to talk in an extravagant way; it is another thing to hear directly from people in terms of what is going on in their lives.

What I promised that I would do, and continue to do, is read some of these very poignant e-mails I received, mostly from Vermonters, some from other parts of the country, where people are simply saying: Look, this is what is going on in my life today. I thought I was in the middle class, but I no longer am.

So what I want to do is read a few of the e-mails that I received, to put what we are debating and discussing in a very personal tone, in the real words of real Americans. This is the collapse of the middle class as described by ordinary people.

We received an e-mail from an older couple in the State of Vermont. This is what they wrote. The woman writes:

My husband and I are retired and 65. We would like to have worked longer, but because of injuries caused at work and the closing of our factory to go to Canada, we chose to retire early. Now with oil prices the way they are, we cannot afford to heat our home unless my husband cuts and splits wood, which is a real hardship as he has had his back fused and should not be working most of the day to keep up with the wood. Not only that, he has to get up two to three times each night to keep the fire going.

We also have a 2003 car that we only get to drive to get groceries or go to the doctor or to visit my mother in the nursing home 3 miles away. It now costs us \$80 a month to go nowhere. We have 42,000 miles on a 5-year-old car. I have Medicare but I cannot afford prescription coverage unless I take my money out of an annuity, which is supposed to cover the house payments when my husband's pension is gone. We also only eat two meals a day to conserve.

This is a 65-year-old couple in the State of Vermont in the year 2008, and I suspect this story is being told all over America.

Here is another story about a woman who lives in our largest county, Chittenden County. She writes:

First of all, I am a single mother of a 16-year-old daughter. I own a condominium. I have worked at the hospital for 16 years and make a very good salary, in the high \$40,000 range. I own a 2005 Honda Civic. I filled up my gas tank yesterday, and it cost me almost \$43. That was at \$3.22 a gallon. If prices stay at that level, it will cost me \$160 per month to fill up my gas tank. A year ago, it would cost me approximately \$80 per month. I now have to decide what errands I really need to run and what things I can do over the phone or the Internet.

But the other issue is, if I use my cell phone too much during the month, my bill will increase and that will cost me more money. I feel as though I am between a rock and a hard place no matter how hard I try to adjust my budget for the month. I am watching my purchases in the grocery store and department stores more closely because of increased prices.

I am not sure that can I afford to take a summer vacation this year. I usually take a day off during my daughter's spring vacation so we can go shopping in New Hampshire somewhere. I have already cancelled those plans for this year.

I am hoping that I can take a few days off this summer to go to Maine. We will see how the gas prices are this summer, but I hear it is going to get worse. Not much hope for someone on a tight budget.

Here we have somebody who asks nothing more than to be able to take a few days off with her daughter to go shopping. Somebody who works very hard cannot even do that because the price of gas is soaring.

Here is another e-mail that comes from a woman living in a small town in Vermont. This is what she writes:

Yesterday I paid for our latest home heating fuel delivery, \$1,100. I also paid my \$2,000 plus credit card balance much of which bought gas and groceries for the month. My husband and I are very nervous about what will happen to us when we are old.

Although we have three jobs between us, and participate in a 403(B) retirement plan, we have not saved enough for a realistic post-work life if we survive to our life expectancy. As we approach the traditional retirement age, we are slowly paying off our daughter's college tuition loan and trying to keep our heads above water. We have always lived frugally. We buy used cars and store-brand groceries, recycle everything, walk or carpool when possible, and plastic our windows each fall. Even so, if and when our son decides to attend college, we will be in deep debt at age 65. P.S. Please do not use my name. I live in a small town and this is so embarrassing.

Well, it is not embarrassing. That is the story being told from one end of this country to the other. People who thought that after working their entire lives, they would be able to retire with a little bit of security and a little bit of dignity are now wondering, in fact, if they will be able to survive at all.

After working your whole life and being frugal, you should not have to retire in debt dependent upon a credit card.

The e-mails we receive from people who are young, middle age and old, each in its own way is a work of poetry because it comes from people's hearts.

It is poignant. It is true. This is what a younger person from Vermont writes:

I am 23 years old. I have about \$33K of education debt + \$12K of credit card debt and only make about \$26K a year + benefits. I barely make enough to support myself and whenever unexpected expenses come up I end up having to use credit to cover them. I feel like I will never catch up and now everything is getting even more expensive; it seems hopeless. Meanwhile I listen to the news and how the rich are getting richer and it is making me hate this country. I am not an economics expert but I know that things could be done differently to help people like me who work hard and get little in return instead of rewarding those who have the ability to use their money to make more money.

We heard Senator DORGAN talk about huge tax breaks that go to some of the wealthiest people, people who don't pay their taxes because they move to the Cayman Islands and set up phony front offices. This writer, who may not have a PhD. in economics, hit it right on the head. This young man and these old people are the people we should start worrying about, not the wealthiest people who are having it very good.

Let me talk briefly about a woman. This is another piece of reality. She writes:

As a couple with one child, earning about \$55,000/year, we have been able to eat out a bit, buy groceries and health insurance, contribute to our retirement funds and live a relatively comfortable life financially. We've never accumulated a lot of savings, but our bills were always paid on time and we never had any interest on our credit card.

Over the last year, even though we've tightened our belts (not eating out much, watching purchases at the grocery store, not buying "extras" like a new TV, repairing the washer instead of buying a new one . . .), and we find ourselves with over \$7,000 of credit card debt and trying to figure out how to pay for braces for our son!

I work 50 hours per week to help earn extra money to catch up, but that also takes a toll on the family life—not spending those 10 hours at home with my husband and son makes a big difference for all of us. My husband hasn't had a raise in 3 years, and his employer is looking to cut out any extra benefits they can to lower their expenses, which will increase ours!

Here is a woman who has to work longer hours in order to try to catch up, and she can't spend time with her husband and son, which is what her life is about. How many millions of people are in the same boat?

What is not usually talked about on the floor of the Senate is the fact that here in the United States, our people work longer hours than do the people of any other industrialized country. Not talked about terribly often is that to make ends meet now, in the vast majority of middle-class life, you need both the husband and the wife working long hours. Despite those two incomes, people have less disposable income today than 30 years ago in a one-income family. But when you talk about the collapse of the middle class, one of the manifestations of much of it is that people have to claw and scratch and work so hard that their family lives deteriorate. In this case, a woman cannot even spend the time she would like with her son and husband.

Here are a few more e-mails. This comes from a veteran from the State of Vermont:

The real killer is the price of heating fuel. Up here in northern Vermont we need heat in the winter. With a Military Pension I make too much to get any assistance. We got a 2.8% pension increase in January, and the price of heating fuel has increased by about 50%. We have to cut back on food in order to stay warm. Thank you.

Somebody trying to live on a military pension that goes up 2.8 percent, the price of home heating fuel soars, not making it.

This is another short e-mail we received:

The company I work for has just announced a "raise freeze" which means not even a cost of living increase can be expected this year . . . this will be tough for us, as we were counting on at least a cost of living increase in a year where the cost of living has surely increased, be it groceries, fuel, wood, gasoline, etc!

Let me finish by reading an e-mail from another young Vermonter:

As a graduating law student I am particularly concerned with the potential reduction of jobs available to me. I am leaving school with a great amount of debt in student loans and credit cards and entering the uncertain job market.

I currently pay a tremendous amount of money in rent. I would like to work in poverty law but those jobs only pay about 36,000 so it is unlikely going to happen.

Here is an example of a young man who goes to law school, wants to work in poverty law, but because his debts are so high and the interest rate on that debt is so high, he no longer has a choice of careers. This is happening to young people all over the country.

The middle class in America is collapsing. Poverty is increasing. The gap between the very wealthy and everybody else is growing wider. Today we have by far the most unequal distribution of wealth and income of any major country on Earth. We are the only major country on this planet without a national health care program. The cost of college education is very high, while the oil companies make huge profits. Our people cannot afford to fill up their gas tanks.

As Senator DORGAN said, the time is long overdue for this Congress to start focusing on the real issues facing ordinary Americans. The time is now for us to develop the courage to stand up to the big money interests, the 35,000 lobbyists who surround us every day, the big campaign contributors who want benefits for the wealthy and the powerful. We have an obligation to stand up for the middle class. I hope we can begin doing that as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

TAX FILING DAY

Mr. GRASSLEY. Madam President, my colleagues on this side of the aisle have spoken today about tax issues because today is the day for filing income tax. I think it is appropriate that we remind each other about a lot of tax

issues that are very important that we have to decide this year, next year, and the following, or we are going to have the biggest tax increase in the history of the country. We are taking the opportunity on April 15 to talk about those.

When I was chairman of the Senate Finance Committee, I worked to get through a narrowly divided Senate the biggest tax cut in a generation. We reduced income tax rates for individual taxpayers. We created the first ever 10-percent bracket for lower income workers so they didn't have to pay as much tax as they would at the 15-percent bracket on their first dollars earned. We reduced the marriage penalty because we don't think one ought to pay more taxes because they are married. We created a deduction for college tuition. We also passed a deduction for schoolteachers buying supplies for their classrooms. I could go on with a lot of other provisions in those tax bills, but they have all had good economic consequences. We ought to consider that they should not sunset.

Now I and others are at work to make sure this tax relief is extended. If it is allowed to expire, Americans will be hit with the biggest tax increase in history. That is one thing. But it is quite another thing that this is going to happen without a vote of Congress. In other words, on that magic date of sunset, we go back to levels of taxation as they were before January 1, 2001, and we automatically, without a vote of Congress, end up with the biggest tax increase in the history of the country.

People say: Well, we are going to continue existing tax law. They need to be intellectually honest and tell people that when they are doing that, they are going to allow the biggest tax increase in the history of the country.

We can intervene. We need to intervene. It is my goal to intervene. The last thing families need, the last thing small businesses need, the last thing investors need is a tax increase. But that is what will happen this year and in 2010, if Congress doesn't act.

Last week the Senate demonstrated support for extending current law tax relief without offsets, when it voted on energy tax incentives, things that are meant to make the United States more energy efficient and less dependent upon foreign sources of energy. That same approach demonstrated last week, extending current tax law relief without offsets, should rightfully apply to other expiring tax provisions, including the research and development tax credit and the individual tax provisions I have already mentioned. I will be working hard to see that that does happen so taxpayers don't get hit with even higher taxes. I learned a long time ago that you can't raise taxes high enough to satisfy the appetite of Congress to spend money.

Stopping the tax increases that people say we are not voting for, we are only allowing present law, which means the biggest tax increase in the

history of the country will happen without a vote of the people, we can do something about it. We ought to do something about it. Stopping these tax increases ought to be a major goal. Maybe taxes should not be lowered. Nobody is talking about lowering taxes. But we ought to keep the present level of taxation, because it has been good for the economy. It has been good for the taxpayers, because we do not see a revolt going on by taxpayers as we have seen in recent years in the Congress.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. What business is pending before the Senate?

The PRESIDING OFFICER. The Senate is under cloture on the motion to proceed to H.R. 1195, surface transportation technical corrections.

Mr. DURBIN. Madam President, under cloture, what it means of course is we are doing nothing—good speeches on important topics, but we are not considering legislation. We are not debating a bill. We are killing time, which turns out to be the major occupation of the Senate for the last year and a half. Why? Because the minority party, the Republican Party, has a strategy. It is a strategy of using filibusters to slow down or stop any bill from passing in the Senate. Today we are seeing that strategy in the extreme.

The bill pending before the Senate is H.R. 1195. In the annals of legislative history in the Senate, this will not go down as a great piece of legislation. This is not a bill that was worked on for years by Senators and their staffs, conceived with grand ideas to change this great country. This is a bill which by and large changes punctuation in the Federal highway bill, a bill we passed several years ago. Then when we carefully read it afterwards, we said: We got some of this wrong. This should not have been "trail." It should have read "road." This section you referred to wasn't exactly accurate. It is another section.

So we created a technical corrections bill, a bill that cleaned up the Federal highway bill. This technical corrections bill is now being filibustered by the Republican side of the aisle. They want to stop us from voting on a technical corrections bill. They want to delay our consideration of even this housekeeping bill. You ask yourself why. Frankly, because they don't want us to take up legislation of even greater importance. This is an important bill. Don't get me wrong. By cleaning up the old Federal highway bill, we can move forward on highway projects. We can spend a billion dollars creating good-paying jobs right here in the United States, 4 to 500 different projects across our country, 40,000 new jobs. That is good. But these were all destined to occur. We are just making sure the language is clear enough to move forward.

We are really not generating a lot of controversy and debate, are we, about this bill? Two or three little amendments we could take care of in a matter of an hour, that is about it. But what has happened is that the Republican minority is trying to stop the majority party—the Democratic Party—from considering and passing important legislation.

In the history of the U.S. Senate—this grand body, this deliberative body—in the history of this institution, the record number of filibusters in any 2-year period of time was 57, until the Republican minority decided to take on this strategy. So far, last year and the first few months of this year, there have been 65 Republican filibusters this Congress, and still counting. They have broken a record. Who cares? Well, I think a lot of people should care.

We heard the Senator from Vermont a few minutes ago. He talked about his genuine concern about working people in his State. He talked about the impact of this economy on average working families. He talked about the impact of gasoline prices, \$3.50 a gallon and higher. He talked about the impact of food costs going up on families all across America, the cost of health insurance, the cost of college education, the cost of daycare for kids. He talked about the fact that the majority of families have not seen an increase in real income over the last 7 years of this administration. He feels, as I do, that this Senate should be dealing with that issue. What is keeping us from doing so? The filibusters from the Republican side of the aisle: 65 and still counting, a record number of filibusters.

So Senator MCCONNELL, who is the Republican minority leader in the Senate, was asked a question at a press conference today. The reporter said to Senator MCCONNELL about his Republican caucus:

Are you and the caucus prepared now to start slowing down work on the floor and legislation in response?

He answers:

Well, we are on the highway technical corrections bill. It is open for amendments. We were discussing various amendments at our lunch earlier and I assume amendments are going to be offered and dealt with.

That was his answer, and unfortunately it is wrong. We are not considering amendments to this bill because we are still under cloture on the motion to proceed that doesn't expire until 11:30 p.m. tonight.

So if Senator MCCONNELL really wants us to consider amendments to this bill and get it finished, he needs to walk out on the floor and agree to a unanimous consent to move to this bill immediately and consider it. Then his statement to the press this afternoon will be accurate. But until he does, it is not accurate. We are stuck, stuck on cloture, stuck, as we have been time and again by this Republican minority. I, for one, believe they have pushed it to the extreme—a filibuster on a technical corrections bill.

Can you think of anything else, Madam President, we might be considering? Well, how about the policy on the war in Iraq, a war that claimed 2 American lives yesterday, a war that has taken over 4,025 of our best and bravest, that has injured more than 30,000, that has cost this country over \$700 billion, that continues to cost us \$10 billion to \$15 billion a month; a war that claims the lives of our soldiers, ruins the morale of many troops who refuse to reenlist; a war that has stretched our military to a breaking point. Is that worth a few minutes of debate here on the floor of the Senate, the policy of this country toward the war in Iraq?

How about the war in Afghanistan? A war that was designed to go after those responsible for 9/11, to capture Osama bin Laden; a war which is stalled because we have dedicated so many resources to Iraq; a war which we must win so that al-Qaida and the Taliban do not resume their control over this poor country; a war which sadly has not resulted in the capture of Osama bin Laden more than 6 years after the terrible tragedies of 9/11. Is that worth a few hours on the floor, maybe a resolution, maybe a discussion about policy? I think it is, but we can't get to it because Republican filibusters are stopping us.

Maybe we should spend a few moments talking about our dependence on foreign oil and what we can do to bring down gasoline prices across America; how we can work on a bipartisan basis to find renewable, sustainable sources of energy that fuel our economy without killing our environment. Is that worth a little debate here on the floor of the Senate? Most Americans think it is an important issue but, sadly, we are stuck with a Republican filibuster again. Maybe we could spend some time bringing the bill out of the Committee on the Environment, the cap and trade bill, a bipartisan bill by Senator WARNER, a Republican of Virginia, Senator LIEBERMAN, an independent Democrat of Connecticut. Maybe we could bring that to the floor and talk about a way to clean up this world's environment so our kids have a fighting chance to have a planet they can live on, so that we can devise with American ingenuity a system using our free market to make this a cleaner planet. Is that worth a few hours of debate on the floor?

Debate on the Children's Health Insurance Program that the President has vetoed not once but twice, a program to extend health insurance coverage to some children in America who are not poor enough to qualify for Medicaid and not lucky enough to have parents with health insurance, is that worth a few hours of debate on the floor? I think it is.

Those issues and so many others are the ones the American people expect us to be talking about right here in Washington. But instead we have a bill, with grammar and punctuation, trying to

clean up a Federal highway bill of several years ago, that is being filibustered by the Republican side of the aisle. This is shameful. It is such a waste of time in this great institution, but it is a specifically designed strategy by the Republicans to slow down the business of the Senate and to stop us from considering critically important legislation for America.

I would say to Senator MCCONNELL, who said that we are on the highway technical corrections bill and it is open for amendments, it will be open for amendments when Senator MCCONNELL comes to the floor and gives us his consent to stop the filibuster and to give us a chance to pass this bill, as we should have last week, and move on to more important legislation—legislation the American people ask us to consider. Sixty-five Republican filibusters this Congress and still counting. The Grand Old Party, the Republican Party, the GOP now has a new name. It is no longer the GOP, Grand Old Party. From the Republicans in the Senate, we have learned that it is the Graveyard of Progress. That is their idea of their role in the Senate. Any proposal for change, any proposal for progress, they want to kill. This graveyard is going to speak back to them in November.

I think the American people have had it with the obstructionism, the slow-downs, and the obstacles we are seeing here in Washington. The voters get their chance in November. I hope they will join us. I hope they will send more Senators to Washington who are prepared to not only debate but vote for change, Senators who are willing to say: Put an end to these mind-numbing filibusters and get down to work. Roll up your sleeves and do something to make life better for working families. Do something about this energy crisis. Make this planet a safer place for our kids to live on. Be responsible when it comes to spending, and start bringing the American soldiers home. That is what we should be doing. Instead, we are stuck in another Republican filibuster.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN. Madam President, today is tax day. People all across America are heading to the post office to get that all-important "April 15" postmark. OK, not everybody waits until the last minute, but there are enough procrastinators among us that this is sort of a rite of spring. The first week in Washington brings the cherry blossoms. The 15th of the month brings long lines near midnight in front of the main post office just a few blocks from the floor of the Senate.

For some taxpayers, 2007 was a very good year. Huge fortunes were made on Wall Street by people who correctly bet against the housing market, and some of those of the very wealthiest people were given huge tax breaks that the middle class never saw. But for the

people who live in all of those homes, those homes that Wall Street people were betting against in some sense, 2007 was a very tough year. The home ownership rate has actually fallen over the past 6 years, both nationally by a slight amount and close to 2 percent in the Midwest. What is extraordinary about this fact is that it came during a period of the lowest interest rates since the Eisenhower administration. With the economy expanding, with interest rates at record lows, home ownership should have expanded. Instead, it shrunk.

The reason is another trend that has received too little notice by the Nation's newspapers and the Nation's media: economic growth, simply put, has not benefited most Americans. Instead, income and wealth are more and more flowing to the most affluent in our country. The middle class, meanwhile, must work harder and longer to try to maintain its standard of living. Real wages have been in decline for the past several years. The only way a lot of families have kept up is, first, the entry of more women into the workplace—women in greater numbers; second, workers in this country working longer and longer hours, overtime if they can get it, two jobs, sometimes even three jobs; and third, the only way families have kept up is by taking on more and more debt. The third strategy can be a recipe for disaster; sooner or later, the bills come due. You can't borrow your way very long to a decent standard of living.

Economic security begins with economic opportunity. That means good-paying jobs. It means the kind of training that enables workers to diversify their skills and take on new challenges. It means high-quality primary, secondary, and, yes, higher education.

Our Nation is the wealthiest in the world. Overall economic growth has been strong. Working families should be thriving. By and large, they are not. Working families are struggling to find and maintain good-paying jobs to keep their health benefits, to keep their pension benefits if they have them, and those benefits, those health and pension benefits, are being scaled back. It costs more and more, as people painfully know every day, to fill the gas tank. People are borrowing in record amounts just to cover day-to-day costs. So many Ohioans from Galion to Galipolis are struggling.

The Center for American Progress looked at some key statistics over the past 5 years and found that the average job growth is one-fifth the rate of previous business cycles. The average job growth is one-fifth—20 percent—the rate of previous business cycles. Wages have been flat. Only 28 percent of middle-class families have the financial resources to sustain themselves through a period of unemployment. The average family took on debt equal to 126 percent of disposable income just to manage its day-to-day expenses.

Having witnessed the weakest economic expansion in modern history—in

other words, the growth in our economy, the expansion in our economy was weaker than the expansion of the economy at any time in recent history—we now find ourselves in a recession once again. So we didn't have very strong growth when things were supposedly good—when profits were up, when there was economic growth—but it wasn't spread around very well. Now we find ourselves in a recession once again. We have had three straight months of job losses. Consumer confidence in Lima and in Zanesville and all over my State is understandably shaken.

Our Nation cannot afford to take these statistics in stride, just hoping that the precarious financial position of working families is a temporary phenomenon linked to the ebbs and flows of our economy, because it is not. Our economy as a whole is losing ground. As our trade deficit skyrockets, energy and health care costs spiral upward, good-paying jobs are too often shipped overseas, and our Federal deficit climbs higher and higher and higher. Yet, when Congress tries to address any of these problems, we find ourselves faced with filibusters, one after another after another, as well as veto threats. When we tried to react to the Housing crisis last fall, Republicans objected. When we tried to tackle the topic in February, the Republicans objected and we faced a filibuster. Even today, the President threatens to veto the bill passed by the Senate. Sixty-five filibusters, as Senator DURBIN and others have said, 65 filibusters—more filibusters already in the year and 3 months this Senate has been in session than in any 2-year period in the history of the U.S. Senate. Sixty-five filibusters. It means we haven't been able to do what we ought to do in education, on health care, on infrastructure, and, most importantly, on the war in Iraq.

Today, as an example, we are simply trying to pass a technical corrections bill to a highway bill. Yet our Republican colleagues are filibustering and slow walking the legislation once again. Sixty-five filibusters.

We spend \$3 billion a week in Iraq, with no questions asked. Halliburton can rob us blind, but we avert our gaze. But to try to build a road, a bridge, or some other public works in the United States, and you will meet with filibusters, delays, and obstructionism by the Republicans. In other words, taxpayers are paying \$3 billion and building hundreds of water systems in Iraq—spending that money with Halliburton and Bechtel—and the money goes to these contractors instead of that money coming back to local businesses and building water and sewer systems in Defiance, Findlay, Bryan, Napoleon, and Perrysburg, OH—places that are being squeezed and are not able to afford the reconstruction of the water and sewer systems they need.

We should be doing a lot more construction and a lot less obstruction. Our roads and bridges, in too many

cases, are falling apart. If my colleagues don't like a project, they can make their case and offer an amendment instead of the obstructionism, instead of blocking these issues, instead of their 65 filibusters.

The American people are tired of this kind of delay. Their taxes should pay for a government that will work on their behalf, rather than only on behalf of the wealthiest and most powerful people in this country.

We cannot continue down a path that undermines the middle class. We cannot just hope for real economic recovery. You simply cannot get there from here.

Mrs. BOXER. Will the Senator yield to me for a question?

Mr. BROWN. Yes.

Mrs. BOXER. I thank my friend for that, because this bill before us is a job producer. There is tremendous support for it. I wanted to make sure my friend was aware—because I have to ask him a question—of the support we have. The thing is, when you unleash a billion dollars for 500 projects, which have been tied up for technical reasons, it is going to create jobs. I ask my friend if he was aware of the broad support we have. I will read the list of organizations supporting this technical corrections bill, which will free up some 500 highway projects: American Association of Highway and Transportation Officials, which is the departments of transportation for all 50 States; American Highway Users Alliance; American Public Transit Association, which is the transit systems; American Road and Transportation Builders Association, which is more than 5,000 members of the transportation construction industry; Associated General Contractors, which is more than 32,000 contractors, service providers, and suppliers; Council of University Transportation Centers, which is more than 30 university transportation centers from across the country; National Stone, Sand and Gravel Association, the companies producing more than 92 percent of crushed stone and 75 percent of the sand and gravel used in the United States annually; National Asphalt and Pavement Association, which is more than 1,100 companies that produce and pave with asphalt.

The point is, when we do this work, in many ways we are creating a bit of a stimulus. These are the companies and the workers who are suffering right now because of the economic downturn. Before my friend leaves, I wanted to thank him and also ask him if he was aware of the strong support for this bill.

Mr. BROWN. Yes, there is strong support. I appreciate the comments of the Senator from California. There is strong support for this bill, but not just in those groups. I had in my office building trades people from Mansfield, Lima, Cleveland, Dayton, and Columbus. They were talking about the kinds of jobs—good-paying jobs—in our State on road crews, such as the operating

engineers and laborers and all kinds of workers that are paid decent wages. It is a stimulus, as the Senator says. It injects money into our economy immediately. These are ready-to-go projects. We need to fund them so we can work immediately to create these jobs, which will spin off and create other jobs.

But it is the same old story. We have had 65 filibusters from Republicans to stop us from moving forward on everything from health care, to education, to ending the war in Iraq, to jobs programs such as this. This is the best kind of jobs and economic development program. Not only will it create jobs immediately, but it makes it much easier for economic development and for people to bring new business into communities because the infrastructure is more modern.

Mrs. BOXER. I want to ask something else. The Senator is not on the committee of jurisdiction, but I know he is interested to hear this. We correct a real problem in this bill. The organization that does the evaluation of our Nation's bridges, highways, and all of our byways, has run out of funds. The funds they had have been oversubscribed. What we do, without adding any new funds, is enable them to get funding and to continue their work, as we get ready for the next highway bill, which is coming to us next year.

I wanted to make sure my friend was aware that, as we get ready for the new highway bill, we need to know the condition of our highways. We have seen collapsing bridges. That is another reason it is so important. I am very hopeful that by this evening we are going to see some relenting. I have been on the floor since Monday morning. I don't mind that, but it is wasting time, truth be known. We can have a few amendments and we can wrap this up. My colleagues can go back home and say we have done something.

I want to specifically know if my colleague was aware of this particular account that funds the investigation of the state of our infrastructure—that they have run out of money, and that we fix that in this bill?

Mr. BROWN. I thank the Senator for this information and for all she is doing.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Florida is recognized.

PAPAL VISIT

Mr. MARTINEZ. Mr. President, I am delighted that the Senator from Colorado is in the chair.

I will begin by simply extending a word of welcome to the Holy Father, who, a few minutes ago, landed in our country for his historic visit. I feel tremendously honored that I will have the opportunity to see his arrival ceremony at the White House tomorrow and, of course, then to be with him and, I presume, with the President as we celebrate Mass with him at Nationals Park. It is a momentous and historic occasion.

I know I speak for many of us as I say the Holy Father is welcome to the United States. We are delighted he is here. We hope his message of spiritual renewal, hope, and peace is one that will resonate with the American people.

COLOMBIAN FREE TRADE AGREEMENT

Mr. President, the Colombian free trade agreement is of great importance to me personally. It is something that I believe requires the attention of this Congress, and it is something whose time has come for us to act and make a determination.

There has been a great deal of attention focused on the future prospects of this trade agreement with Colombia. The core question is whether we think people in the United States should be able to effectively compete in Colombia. What is at stake is whether we want to create jobs here in the United States, create additional wealth in the United States, and export more goods and services to Colombia.

The fact is that a free trade agreement with Colombia benefits all of the stakeholders involved. It is good for the United States, it is good for Colombia, but it also is good for the Western Hemisphere.

The United States would reap immediate benefits of a free trade agreement with Colombia in our level of exports—one of the strongest and more positive areas of our economy today.

I know the Senator from Ohio was just speaking about the economic hard times in our country. I know and respect him greatly. I am not sure he agrees this is a good agreement for us to sign. But what better way is there of improving economic circumstances than to export and sell more of our goods to a country that wants to be our friend and our partner.

By leveling the playing field and eliminating the tariffs on products we export to Colombia, this agreement would benefit those responsible for the \$8.6 billion in merchandise the United States exported to Colombia last year.

Currently, more than 9,000 United States companies export products to Colombia. Of those, 8,000 are small and medium-sized firms. In the absence of a free trade agreement, these firms must pay up to 35 percent when sending their goods to Colombia. On the other side of the equation, more than 90 percent of imports from Colombia coming into the United States arrive here duty free.

This agreement will immediately eliminate tariffs on more than 80 percent of American exports of industrial and consumer goods, and then reaching up to 100 percent over time.

This is an agreement that will bring more business to American firms, and it will bring higher demand for products from farmers in Louisiana, machinery manufacturing workers in Alabama, transportation equipment providers in Illinois, and electronics makers in California.

My own State of Florida—home to what we think of as the “gateway to

the Americas” in Miami—was responsible for \$2.1 billion in exports to Colombia in 2007, the second largest export total in the Nation.

The free trade agreement would benefit the more than 28,500 companies in my State that provided products in areas such as computers and electronics, machinery manufacturing, and transportation equipment.

The trade agreement makes sense economically, but also from a national security standpoint, it strengthens our relationship with a key Latin American ally and demonstrates our commitment to supporting nations who choose their leaders through free and fair democratic elections and who support the rule of law.

In fact, the U.S. Southern Command, which oversees our forces in Central and South America, sees the Colombian free trade agreement as a critical component of our Nation’s Latin American policy.

A few days ago, I saw Admiral Stavridis, head of the Southern Command, who was testifying before the Senate Armed Services Committee. I asked Admiral Stavridis whether he felt the Colombian free trade agreement was an important component of our overall policy for the region and whether it would add to our ability to increase U.S. influence and security in the area. He wholeheartedly agreed.

Recently, a group of SouthCom military leaders, including GEN Peter Pace, expressed their support of the agreement in an open letter to Congress.

These officials know of the diplomatic opportunities this trade agreement represents, especially given their unique perspective on the current climate in Central and South America.

In their letter, they affirm that passing this agreement “will build upon [Colombia’s] recent advances to enhance the long-term prospects for peace, stability, and development in Colombia.”

They also argue that it is in our “national interest to help Colombia along the road toward democratic consolidation and economic development.”

Mr. President, I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OPEN LETTER TO CONGRESS FROM FORMER COMMANDERS OF THE U.S. SOUTHERN COMMAND SUPPORTING THE U.S.-COLOMBIA TRADE PROMOTION AGREEMENT

We are writing to urge your support for the U.S.-Colombia Trade Promotion Agreement. This vital agreement will advance U.S. interests in Colombia, a strategically located country that is arguably our closest ally in Latin America. It will also underscore our deep commitment to stability and growth in the strategically important Andean region, which depends on Colombia’s continued progress as a resilient and democratic society.

Colombia’s transformation over the past decade is a triumph of brave and principled

Colombians. It is also a remarkable achievement of bipartisan U.S. foreign policy. Violence has fallen to its lowest level in a generation, and 45,000 fighters have been demobilized as the country’s narco-guerrilla groups have lost legitimacy. While drug-trafficking poses a continuing threat, Colombia’s leaders have eliminated two-thirds of its opium production, and more than 500 traffickers have been extradited during the Uribe administration—by far the most extraditions from any country to the United States.

Colombia’s economic resurgence has been a critical factor in its recent progress. Robust investment has boosted economic growth and development. The creation of new jobs has provided tens of thousands of Colombians with long-term alternatives to narcotic trafficking or illegal emigration.

The U.S.-Colombia Trade Promotion Agreement will build upon these recent advances to enhance the long-term prospects for peace, stability, and development in Colombia. Providing new incentives for investment and job creation, this landmark accord will help ensure that Colombia stays on the path of economic openness, the rule of law, and transparency.

It is in our national interest to help Colombia progress along the road toward democratic consolidation and economic development. This trade agreement will advance U.S. security and economic interests by forging a deeper partnership.

Finally, approving this agreement will meet our duty to stand shoulder-to-shoulder with Colombians as they have stood by the United States as friends and allies. For all of these reasons, we strongly urge Congress to approve the U.S.-Colombia Trade Promotion Agreement.

Sincerely,

GENERAL JAMES T. HILL,
*Commander in Chief,
United States Southern
Command 2002–
2004.*

GENERAL BARRY
McCAFFREY,
*Commander in Chief,
U.S. Southern Com-
mand 1994–1996.*

GENERAL PETER PACE,
*Commander in Chief,
U.S. Southern Com-
mand 2000–2001.*

GENERAL CHARLES E.
WILHELM,
*Commander in Chief,
U.S. Southern Com-
mand 1997–2000.*

GENERAL GEORGE
JOUWAN,
*Commander in Chief,
U.S. Southern Com-
mand 1990–1993.*

Mr. MARTINEZ. Mr. President, Colombia remains one of our strongest allies within the region. It is the strategic center of Latin America, of all of the Andean countries. Geographically, it is in a precise and important spot in the region. It is a country of 40 million people. It is a very significant country.

Fostering this important relationship holds strategic importance to advancing our security and economic interests in South America and also with the Colombian Government. Colombia’s Congress voted twice in favor of passing this trade agreement.

It would honor the commitment we made when signing the agreement last year and would provide greater stability and security to the Colombian

people as their quality of life continues to improve. I know some critics of the trade agreement point to some of the violence against labor organizers that has occurred over the years as the reason not to ratify.

In doing so, I believe they fail to recognize the progress that has occurred in Colombia in recent years. Colombia has had a violent history. I can recall in younger days when I used to travel to Colombia frequently. It was not only a beautiful and wonderful country, but you were perfectly free to go throughout the country. Over the years, the violence brought upon the people of Colombia by FARC, or the Revolutionary Armed Forces of Colombia, has wreaked havoc on that country. It was to the point where the violence was incredible.

Six years ago, as President Alvaro Uribe delivered his inaugural address, mortar shells landed near the Presidential palace in Bogota and killed 14 people and wounded another 40. That was the level violence had reached in this country.

These events and crimes against labor organizers were common prior to when President Uribe came into office in 2002. Since that time, violence has dramatically decreased in Colombia, and the Colombian Government's presence is being felt in cities and towns across the nation.

Let me point out that one death of an innocent civilian or one death of a union leader or union organizer is one death too many. Colombia has seen more than its share of violence.

I point to this chart which I believe is accurate in pointing out the actual figures when it comes to union leader violence. Notice the high point in 2001. This is before President Uribe was President. Then he comes into the Presidency and look at the dramatic drop since his Presidency down to where it is today. This is not just violence against union leaders. President Uribe has been effective in pacifying the country.

The violence against unionists has declined 86 percent during his time in office from 2002 to 2007. The reason for this decline is President Uribe's attention and response to concerns over these attacks. The President established an independent prosecutor unit and created a special program to protect labor activists. They can actually seek protection from the Government and be provided with armored vehicles, with protection for union halls, and personal protection for them as they go about the country.

There has been significant progress in other areas of Colombia as well, which is improving the lives of the Colombian people.

It is astonishing to see homicides are down 40 percent, kidnappings are down 83 percent, and terrorist attacks are down 76 percent. This is as a result of what, in fact, has been a very successful partnership. One of those moments of bipartisan agreement that the Presi-

dent and I so often yearn for in this Congress started under President Clinton with support from the Republicans, continued under President Bush with support from Democrats.

We had Plan Colombia. This has been a way of helping the Colombian Government and the Colombian people to continue to strengthen their democracy. President Uribe was elected to office with over 60 percent of the Colombian vote, and he is a democratically elected leader who is fighting an insurgent group that seeks to destroy his Government and democracy in Colombia by means of violence.

When we stand with President Uribe, when we stand with the duly constituted Government elected by the people of Colombia, we are standing on the side of those who respect democracy, freedom, and human rights.

When we talk about the kidnappings, these kidnappings have now been limited to poor peasants, although that has been part of it, but it has also included Government officials. Miss Betancourt, who has gained international notoriety because of efforts by the French Government to free her, was a Presidential candidate in the midst of a Presidential campaign when she was kidnapped. Also, members of the Congress of Colombia, businesspeople—they have shown no mercy. Today it is rumored they maintain about 700 kidnapped victims with them in the jungles of Colombia. Colombia's Foreign Minister is someone who was a victim of kidnapping who escaped 5 years ago, maybe more, from the jungles of Colombia and has regained his freedom.

Public school enrollment in Colombia has increased 92 percent. The child mortality rate has decreased dramatically as the Government turned its focus to human rights and also living conditions. The number of tourists visiting Colombia has doubled in the last 5 years.

Colombia is on the rise. Colombians enjoy a better quality of life because they have been living in a country that is more peaceful. For that, I think the Colombian people are very grateful to the United States. There is no country in the region that is more pro-U.S., that is more pro-American, and so much wants to interact and work with us. Enhancing that relationship will continue to bring prosperity at a time when Colombians continue to face destabilizing forces of terrorism.

There is a second aspect of Plan Colombia. It is not just about building the Colombian military, as important as that is. There is a second phase. It is about people, it is about job generation, job creation. That is why it is important to enter into this free-trade agreement so that U.S. investment dollars might flow to Colombia and increase jobs in Colombia as we increase jobs in America as well.

One of the most prominent narcoterrorist organizations operating within their borders is the FARC. ELN is another one. FARC is an organiza-

tion that supports a brand of terrorism much like al-Qaida.

FARC's greatest enemy is stability, the same sort of political and economic stability provided by trade agreements such as these.

They oppose the democratically elected Government, and they would love nothing more than to return Colombia to the days of corruption, chaos, murder, and mayhem. It would be unwise to abandon this vital alliance in the face of a difficult time for them.

A trade agreement with the United States would deal a blow to those attempting to hinder Colombia's growth, to those who offer a misguided vision of the future of the region to those who hear their cry.

The fact is, there is a battle of ideas going on in the hemisphere, and this battle of ideas is one we cannot shrink from but must engage. By entering into this agreement, we would join a growing list of partners in the region that have demonstrated commitment to human rights, free and fair elections, and strengthening trade relations with us.

We have a very strong partnership. NAFTA, I must confess I find it a little difficult to understand how NAFTA, which has created jobs all over America, could be faulted for jobs going to China. And I cannot believe, on a serious note, those who seek to be the President of our country would walk away from that trade agreement. The fact is, this trade agreement is one that would enhance and advance the interests of the United States.

I do not believe in a country that would be afraid to compete with those abroad. I believe in the America that is proud and strong and can compete with anyone in the world. We cannot just shelter within our shores. We cannot just retreat to fortress America. Those days are gone. We created the global trade we live in today and to retreat from that would be a misguided mistake.

Over the weekend, both the New York Times and the L.A. Times ran pieces urging Congress to ratify this important and historic trade agreement. According to the New York Times, "rejecting or putting on ice the trade agreement would reduce the United States' credibility and leverage in Colombia and beyond."

And the L.A. Times characterized the House's decision to halt the vote by stating "it wasn't about the U.S. economy and it wasn't about Colombia. It was politics."

I don't want to dwell on that issue because I believe the best way for this to take place is for us to continue to work together in a bipartisan fashion to try to bring about an agreement that would be good for America, good for the region, good for Colombia, good for the United States, good for our people, good for their people. This is the kind of trade agreement that is a win-win.

I was talking about NAFTA. We then moved to Central America and the Dominican Republic, and we have CAFTA. That trade agreement is creating and generating jobs in that region. We have a free-trade agreement with Peru and Panama, and if Colombia joins in, that would create a powerful, mighty trade alliance creating and generating jobs and exports from the United States to this region.

I was meeting this morning with a gentleman who is hoping to be the next Ambassador of the United States to Honduras. I asked him how has CAFTA impacted our relationship with Honduras. He said there has been several billion dollars a year of trade between us and Honduras, and it had increased U.S. exports to Honduras by 18 percent. That is good for America. That is good for American jobs.

So I hope calmer voices will prevail. It would give us a chance to vote on this important trade agreement. It was signed by Colombia and the United States well over a year ago. There is never a perfect time for these agreements. I believe the votes are there. I believe it is time to allow the votes to take place instead of utilizing procedural maneuvers that, at the end of the day, are not particularly democratic.

Mr. President, I hope we can move forward to consider this agreement, to study the elements of it, to see the merits of it. It goes beyond stating the obvious: that this is something that not only would help economically, but it would also be a tremendous boost to our relationship in this region of the world that all too often feels forgotten, that all too often feels our eyes are focused elsewhere in the world, but are always our closest neighbors, are always our people who each and every day signify more and more to us.

A great many people of Colombian heritage live in the State of Florida and in other States of our country. They are great contributors to the American experiment. I am proud to have them among my constituents. I know in the southern part of my State, this is a big, important issue. It is one whose time has come. I hope the Speaker will reconsider. I hope we will move forward with this important trade agreement.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise in support of passing the bill that is on the Senate floor; that is, the SAFETEA-LU technical corrections bill. When we look at the bill that is of the magnitude of the SAFETEA-LU bill and its extraordinary importance in our economy, there are bound to be some drafting errors and issues. I am glad we are taking the time to correct these errors so we can continue to strengthen our national infrastructure and our economy.

As a member of the Environment and Public Works Committee, I applaud Senator BOXER's leadership in getting

this bill to the floor. This bill is a step in the right direction as this Congress focuses more and more attention on our national infrastructure.

I urge all of my colleagues to support this bill, as well as future efforts, to strengthen our national infrastructure.

The Presiding Officer, being a Senator from Colorado, knows and I know there is a new economy in the future. It is the energy economy. But if we are going to move forward the next century's economy, we cannot be stuck in the last century's transportation system.

I believe when you invest in infrastructure, you invest in the American economy. Rebuilding Main Street means revitalizing Main Street. The Federal Highway Administration estimates that for every \$1 billion of Federal highway investment, it creates over 30,000 jobs. So when we rebuild our roads, we strengthen our economy.

As you know, a bridge collapsed one day in the middle of Minnesota. It was something no one could ever believe would happen in the middle of our major Interstate Highway System.

As I said that day, a bridge should not fall down in the middle of America, especially not an eight-lane interstate highway, especially not one of the most heavily traveled bridges in our State, and especially not at rush hour in the heart of a major metropolitan area, and especially not in my front yard. As you know, Mr. President, as you have seen, the area of that bridge was only 8 blocks from my house.

Unfortunately, it has taken a disaster of this magnitude to put the issue of infrastructure investment squarely on the national agenda, and it is long overdue.

The sudden failure and collapse of the I-35W bridge has raised many questions about the condition and safety of our roads and bridges. In fact, we just had a bridge that was similarly designed shut down in St. Cloud, MN, about an hour and a half away from the bridge that collapsed. It was designed by the same designer, with the same problem with the bent gussets. The investigation is still going on into the exact cause and triggering events that led to the collapse of the I-35W bridge.

The fact a bridge closed down so near, and the State of Minnesota decided to replace that bridge rather than repair it, shows this is not an isolated incident. Critical investment in the maintenance and construction of our Nation's transportation is imperative. Strengthening and maintaining our national infrastructure must be a national priority.

At the moment, our priorities are not in the right place. We spend \$12 billion a month in Iraq, with no end in sight, but our bridges fall down in the middle of America. We have tax cuts for the top 1 percent, but it is getting harder and harder for the middle class to get by. We need to better prioritize our national spending.

Our robust, well-maintained, up-to-date highway system is vital to the

continued expansion of our economy. It is, in fact, an essential driver of our economic prosperity. As President Kennedy once said:

Building a road or highway isn't pretty. But it's something that our economy needs to have.

And nowhere is this truer than in rural America.

In Minnesota, the relationship between highways and the economy is most obvious in our rural areas. Transportation is absolutely essential to their viability and to their vitality. Rural Minnesota is now in the midst of an economic revival that promises to grow even stronger. We are seeing this all over America with the energy revolution, whether it is wind or solar or geothermal or whether it is ethanol or biodiesel.

As our Nation demands greater energy independence and security, the rural parts of our country are poised to benefit enormously with the further development of home-grown energy. I believe we need to be prepared to maximize the opportunities offered by this renewable energy revolution. It is only beginning to emerge, but it promises major economic and technological changes for our country.

Already the development of wind farms and ethanol plants has rejuvenated many rural areas in our State. We are third in the country when it comes to wind energy. But at the same time, these wonderful new energies are placing new demands on our transportation infrastructure. Here is one example: Demand for ethanol has increased dramatically. This Congress has pushed it. We are now with corn ethanol, but we know we will also expand into cellulosic, switchgrass, prairie grass, and other forms of biomass. For the first 6 months of 2007, ethanol production in the United States totaled nearly 3 billion gallons—32 percent higher than the same period last year.

Currently, there are 128 ethanol plants nationwide, with total annual production capacity nearing close to 7 billion gallons. An additional 85 plants are under construction. As we know, this is just the beginning. We look at places such as Brazil, which are completely energy independent because of what they have done with sugarcane. We know corn isn't the only answer. We will expand into other kinds of ethanol. But we do know this is going to place demands—demands we want to have—on our Nation's transportation infrastructure.

Total ethanol production in the United States is projected to exceed 13 billion gallons per year by early 2009, if not sooner. What does that mean in terms of transportation? Well, this means an average square mile of land in southern Minnesota, which now generates the equivalent of 80 loaded semitrucks per year, could soon produce double that—160 loads of grain per year. As more homegrown energy is produced, rural roads and bridges will have greater demands placed on them, as will rural rail.

I have had members of my own State of Minnesota—constituents—come up and show me these old rail ties that are breaking down. I have seen myself the bridges that are in need of shoulders. I have seen the highways that are in need of repair. Some of our roads in Minnesota are in such disrepair they have actually been letting them go to dirt. We are going the opposite because they do not have the money to repair them.

The ethanol plant in Benson, MN, now has over 525 fully loaded semis hauling either corn, ethanol or other forms of biodiesel from their plant every week. This is a 45-million gallon ethanol facility. Their production falls around the middle of Minnesota's 16 ethanol plants.

SMI Hydraulics is a company in rural southwestern Minnesota that manufactures the bases for the wind towers you see all across southern Minnesota. I have visited the company. They basically started in a barn, and they are building these huge wind towers. The heavy trucks that bring the steel to the company put an understandable heavy burden on the roads they travel and are putting their durability to the test.

The U.S. Department of Agriculture estimates truck freight in rural America is going to double—double—by the year 2020. The continuing trend toward greater reliance on trucking to support these industries raises concern about the wear and tear on rural roads and bridges. Many of these roads and bridges were built before this trend was evident. Whoever thought they would be carrying this huge wind tunnel? No one ever thought it would happen, but it does. They were not designed for this type of traffic.

Much of the rural road network in the United States was constructed during an era of slower travel and lighter vehicles. Current traffic, which is heavier and wider, has accelerated the rate of deterioration and made these types of roads less serviceable. In many important grain-producing States, such as Minnesota, more than 40 percent of the major highway system is rated as being in less than fair condition. Our transportation systems need to support the development of these industries, so we need to look at the full spectrum of transportation options.

I truly appreciate Senator BOXER's leadership, looking not just at truck travel, not just at roads but also at mass transportation and other ways we can transport our goods to market. With more than half our State of Minnesota's total population now living in the seven-county Twin Cities metro area, the need for more transportation options has become very clear to all of us.

It is not just about the rural areas in our State. Increasing traffic congestion has become a major threat to Minnesota's quality of life and our prosperity, costing precious time and money for both commuters and busi-

nesses. There is enormous support in our State for something called Northstar rail, which would bring people basically from the Twin Cities to the area of St. Cloud—Big Lake, to be exact. St. Cloud is the area I explained where the bridge had been closed because of safety concerns. And if you drive that 94 Interstate right now, I can tell you, you waste so much time sitting in traffic you practically feel sick to your stomach if you are there in rush hour.

We need that mass transit, and legislators and people who were originally completely opposed to this project are now standing up in front of the line because they know how important it is for their constituents. This is a case where I have to tell you the constituents were there before the elected officials and led the way to try to get this Northstar rail in. And because of the Federal help, it is now getting built.

The bottom line for any business is you lose money when your people and your products get stuck in traffic, and you also lose the ability to attract top-notch, talented workers if they must contend with aggravating and time-consuming traffic jams. To combat this threat, we must commit to broadening our transportation options, developing the right mix of multimodal solutions to serve our emerging needs, while maintaining our existing systems and highways. This mix, of course, includes not just rail but rapid bus transit, high-occupancy toll lanes, and anything we can do to try to move the people to the places they need to go.

Our Nation has faced this challenge before, a half century ago, and we succeeded in building a new modern transportation system for a new modern economy. At the heart of it all was the interstate highway system. In his 1963 memoir, "Mandate for Change 1953–1956," President Eisenhower famously said this of transportation:

More than any single action by the government since the end of the war, this one would change the face of America. Its impact on the American economy—the jobs it would produce in manufacturing and construction, the rural areas it would open up—was beyond calculation.

He was right. It is our responsibility to restore Eisenhower's vision of a transportation infrastructure that works for all of America. I can tell you this firsthand, from my heart, having seen what happens when you don't invest as you are supposed to; having seen a major bridge fall down one day in the middle of America; having seen the promise in the rural parts of our State of the new energy revolution but then hearing how they can't get their goods to market because they have a bunch of single-road highways, when they have trucks that are trying to bring wind towers in, when they are trying to be part of the solution to this energy crisis.

It is our responsibility to restore that vision that Eisenhower had—to build this transportation infrastruc-

ture in our country. That is why I am so proud to support Senator BOXER and her work on this bill, and I hope our colleagues will support this bill and that we get this bill passed for the good of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am sitting here and listening to Senator KLOBUCHAR, and I am so proud of her work on the committee that I am fortunate enough to chair, the Environment and Public Works Committee. This committee is so interesting because we do everything from global warming legislation, protecting endangered species, to rebuilding the infrastructure of our Nation on the public works side.

It is kind of an interesting divide, because when it comes to rebuilding the infrastructure, we have more bipartisan support right now than for protecting the environment; where Senator WARNER, on global warming, has frankly been our hero on the other side of the aisle, joining with us. But on the infrastructure, Senator INHOFE and I have worked very closely together, and with the help of members of the committee, such as Senator KLOBUCHAR, we are making progress.

Before the good Senator leaves the floor, I wanted to make sure she was aware of something in this bill that is so crucial and is very much apropos to her reminding us about the bridge collapse in Minnesota. We fix an oversight in SAFETEA-LU that resulted in a particular account being oversubscribed. That account was the surface transportation research development and deployment account.

Now, what does that do? It is a very fancy name. Basically, that particular account funds research into the status of our infrastructure. It takes a look at our infrastructure, and it tells us what we need to do to keep up. Do we need to reinforce our bridges, for example. That is one of the aspects they look at. The appraisal of our highways. How do we fund transit? What is the physical condition of our roads? How do they operate? What is their performance level? It is so crucial that we have the information.

My colleague from Minnesota wrote the carbon registry bill that is part of our global warming bill because she knows that before you can solve global warming, you need to know how much carbon and other greenhouse gases are in the atmosphere. We can't write a new bill in 2009 unless we know the status of our roads, our freeways, our bridges, and our highways. So that is why this bill is so important.

We have been here for 2 full days now. I have been ready, willing, and able to take any and all amendments. We have said the bill is closed. We are not adding anything new because we want to keep this bill the exact same cost as the SAFETEA-LU bill. We are not adding anything. We are, in essence, making technical corrections to

make sure we don't stymie a billion dollars' worth of projects, which is going to create tens of thousands of new jobs, and we are going to free up the frozen level of this research because they can't research anymore. They can't do any more research on the state of our infrastructure. We want to unfreeze that.

So here we are for 2 days, standing on our feet begging our Republican friends not to filibuster this bill. What is the point? Everybody wants this bill, except maybe one Senator who doesn't like one provision in it. We had the vote to proceed. I think it was 93 to 1. So everyone wants this bill. This bill doesn't add any new spending, it unleashes a billion dollars of important projects. That is why we have extraordinary support—and I don't have the chart here—from all our construction trades people, the management side, the labor union side, the worker side. We have it all. We have the heads of all the transit agencies across the country. They all want this bill. It is very impressive.

Oh, good, we have it back. I will show it one more time, because when you hear who is backing us—and they are not backing us quietly, they are on the phones, they are calling Members and saying: Let this bill go.

When my kids were young, they would call something a no-brainer. That is what this bill is, a no-brainer. This bill makes eminent sense.

Here is the list: The American Association of Highway and Transportation Officials—from all 50 States—support us; the American Highway Users Alliance—millions of highway users; the American Public Transit Association—transit systems from across the country; American Road and Transportation Builders—that is more than 5,000 members of the transportation construction industry; Associated General Contractors—that is 32,000 contractors; Council of University Transportation Centers—more than 30 university transportation centers from across the country; The National Stone, Sand and Gravel Association—these are the companies that produce more than 92 percent of crushed stone and 75 percent of sand and gravel used in the United States annually; and the National Asphalt and Pavement Association—more than 1,100 companies.

These are the folks who are suffering right now. These are the folks who have gotten caught in this recession we are in. These are the folks who are calling Senators and saying: Please, let this bill go.

Senator BOXER supports it, Senator INHOFE supports it, Senator KLOBUCHAR supports it, Senator BAUCUS supports it, Senator ISAKSON supports it. I could list members from our committee—almost all. As I said, we had a vote of 93 to 1 to proceed to this bill.

Calling all Republican friends: Please, please, please, relent. Please, let's get going. People are counting on you. They need the work. They need

the jobs. Our country needs the infrastructure built. This doesn't cost a penny more. These are funds that are sitting in the trust fund.

Ms. KLOBUCHAR. Will the Senator yield for a question?

Mrs. BOXER. Yes, I will be glad to yield to my colleague.

Ms. KLOBUCHAR. I ask the Senator, how long has she been trying to get this bill through? I know she has been waiting. I know it has been months.

Mrs. BOXER. The House passed it 1 year ago, and we passed it in the committee in June 2007. This is not something that—this has been around. We have been asking Senator REID. He wanted to bring it up, but it is getting caught up in other matters. It has been a long time.

Ms. KLOBUCHAR. It seems to me, when there is so much bipartisan support, the other side of the aisle would try to advance this bill. I know in our State we have had this tragedy. They see this not only as you talk about it—as a way to figure out, do an analysis of what we really need to meet our transportation needs but they also need it as investment. As you know, we were unable, on the stimulus package, to get some of the things we wanted on the Democratic side, so we did get the check in the mail to people. But long after those rebate checks are cashed, we need a long-term investment strategy in this country that invests in jobs.

I thank Senator BOXER for bringing up that piece of the bill. I was very focused on the nuts and bolts on the roads, the wear and tear on the roads that we all think about when driving on the highway, but we also have to think about this as an investment strategy. I thank her for bringing out that important point.

Mrs. BOXER. I am happy to do it, I say to my friend, and I am glad she asked me when we passed this bill out of committee—June 2007. June 2008 is fast upon us. The House also passed it a year ago.

This is a long time in coming. You are so right, we all talk about the need to make sure there are good jobs for people. This is a ministimulus package right here. There are 500 important projects that will move forward. This means real jobs, real jobs in the U.S. of A. When you are building a road here, you are building a road here. This is important.

It is unusual to see all of these folks team up together. We had a press conference this morning, management and labor together saying: Please, here is an opportunity.

There is nothing negative to say about this bill, as far as I am concerned. You may have one or two projects you wouldn't vote for, but the fact is they have come from the Members of Congress who know their districts and know their States.

I was very glad Senator DEMINT called and said he was pleased with the way we did our disclosure under the new ethics rule, that our committee

had set the standard. I was very happy to hear from him about that. He said we did it right, we made it public. Everybody signed on to whatever project they requested—very open, very transparent, very necessary. This is a very necessary bill.

I guess I am talking to colleagues who may be in their offices and I am saying, especially to my Republican friends, come join us. Let's do something good for the people. This is very important for your States. You have the American Association of State Highway and Transportation Officials—that's the department of transportation for all 50 States—calling on us to act. There is no reason to hold this up. We are wasting precious minutes. We are wasting precious hours. We are wasting precious days. We have a lot of other work to get done.

My goodness, I don't understand filibustering this bill which, again, is within the budget. It doesn't add a penny more than we were supposed to spend. I am a little perplexed as to why we are sitting here at 10 to 6 at night and we can't get anybody to come here to offer an amendment. But I am ever hopeful, because it is my nature, that people will realize, as they go back to their offices and see their phone messages from all these people, that this is real. This is real. We need to get it done.

Mr. President, I suggest the absence of a quorum. I will be back as soon as I have some news to share with colleagues.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MENENDEZ). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, the matter before the Senate now that is currently being blocked by the minority is a bill that would permit work to proceed on hundreds of highway and transportation infrastructure projects, creating tens of thousands of construction jobs, and pouring \$1 billion into our economy. This is timely legislation to repair our roads and bridges now, while our economy needs the work. Yet this bill is stalled in this body because Republicans in the Senate will not allow it to move forward.

Unfortunately, we have seen this movie too many times. The minority has engaged in no less than 65 filibusters in this Congress—an astounding number that lays bare the minority's lack of interest in solving the real problems America faces. What a record—65 filibusters, the most ever. That is what the minority has to contribute to the problems America is facing.

A number of our Republican colleagues have come to the floor of the Senate to speak today, but we have

heard very little in the way of substantive or reasonable objections to the highway bill. Instead, what we have heard is a lot of talk about taxes. Of course taxes are on the minds of many Americans today. It is, after all, April 15, filing day, the deadline for Federal and State tax returns to be filed. Today, we should remember that the work of Government does not just cost money, it costs our money. For that reason, we should ask how this Government is spending our hard-earned money and whether the priorities reflected in the Federal Government's spending are truly the right priorities for our people and for our time.

These are difficult days. Today, families throughout my State of Rhode Island and all across this country are reading their bank statements, opening their bills, reading their local newspapers, and finding that the looming downturn in the economy leaves them struggling to make ends meet. Everywhere we look, prices are rising, from the groceries that feed our families to the gasoline that fuels our cars. Every day, more Americans face the disaster of foreclosure. Every day, more Americans face the nightmare of catastrophic health care bills.

In these days of insecurity, the people of this country are looking for answers, for solutions, for a new direction. Democrats in the Senate are working overtime to provide that new direction. We passed an economic stimulus package, legislation to address the housing crisis, and a budget plan to put our Government back on the path to surplus and cut taxes for middle-class families. We know we need a change of course and, most particularly, a change of leadership in the White House to get our country back on track.

But Senate Republicans today are making it clear that they do not agree. Instead of putting working families first, instead of getting our infrastructure repaired, they want to protect the massive Bush tax cuts for the wealthiest Americans, a fiscally irresponsible policy that has left our country trillions of dollars in debt. Instead of a budget that focuses Federal Government spending on our children and our veterans, Republicans want to stick us with the status quo, pouring hundreds of billions of dollars into an endless war in Iraq without spending a dime here at home to fix the problems that face American families.

Senate Democrats support tax cuts for middle-class families, including targeted help for families with children or seeking to adopt a child. Indeed, the budget resolution this year would provide those tax cuts in a fiscally responsible way, without digging our country deeper into debt. But President Bush and his Republican allies in the Senate want to extend the extravagant portions of the 2001 to 2003 Bush tax breaks that are weighted heavily toward the wealthiest Americans.

Mr. President, 71 percent of the value of the tax cuts in 2009 will go to the

wealthiest fifth of Americans, and 28 percent of the value of the tax cuts goes to the top 1 percent, a group whose incomes average around \$1.5 million a year—clearly people who are hurting and need a lot of help from our Government right now. Almost nothing at all goes to the lowest earning fifth, families who earn \$15,000 a year or less. This is the George Bush idea of fair tax policy.

The President's insistence on forcing through these cuts without making up for the lost revenue, to defer that pain to later generations—to our children, to our grandchildren—was not only cowardly leadership, it left our budget in precarious straits. The Bush tax cuts of 2001 and 2003 cost a staggering \$1.9 trillion, and they account for 25 percent of the \$7.7 trillion Bush Debt. The \$7.7 trillion Bush Debt is the difference between the nonpartisan Congressional Budget Office projections as President Clinton left office compared to the budgetary nightmare George Bush created—\$7.7 trillion.

I am from Rhode Island. One trillion dollars is an unthinkable amount of money in a small State such as Rhode Island. I do not know what \$7.7 trillion is. So I have tried to scale it for myself. I have here in my hand a simple penny. A simple penny. If this simple penny were \$1 billion—now, even in Rhode Island \$1 billion is big money—if this simple penny were \$1 billion, \$7.7 trillion is a stack of these simple billion-dollar pennies that is 39 feet high, takes us right to the top of this room with a simple penny being a full billion dollars.

It is an astonishing burden for this country to have to bear. It is the responsibility of George Bush and the Republicans, and we have to get serious about it. But are the Senate Republicans willing to get serious about it? No. If they have their way, the wealthiest Americans will continue to profit to the tune of trillions of borrowed dollars while those most in need receive virtually nothing. According to the Center on Budget and Policy Priorities, the poorest Americans—the lowest 20 percent of income earners would receive less than 0.5 percent of the value of extending Bush tax cuts between 2009 and 2018. The top 20 percent, on the other hand, would receive a staggering 74 percent of the value, a total of nearly \$4 trillion over that 10-year period.

And, of course, this is Bush tax policy, so the higher the income, the greater the benefit. Close to \$1.2 trillion in Bush tax cuts would accrue to the top 1 percent of American households. Households with annual incomes of more than \$1 million a year, those alone receive \$834 billion, \$834 billion in extended Bush tax cuts.

The reckless fixation on tax cuts for our wealthiest folks that the Bush administration has pursued is driving us to a bad place, to a divided America with two economies, a gilded economy for the wealthy, and a worried struggle for everyone else. That is not good for

America. In fact, that is not America. But this does not seem to bother our Republican friends. They have hitched their wagons to the big winners in the gilded economy: the oil companies, the pharmaceutical companies, the billionaires. The two economies, well, that is fine with them so long as their friends are winning. But that is not good for America.

In fact, that is not America, not the one we know. The tool they have used over and over and over is the filibuster. With a \$7.7 trillion Bush Debt foundering us, with families across the country in their home States, everyone struggling, you would think they would want their role to be more productive than being the biggest filibusters in American history. You would think they would want a more productive record and legacy than that. But, no, they want to dig a \$7.7 trillion hole and then filibuster the folks who are trying to get America out of it. It is so clear that Senate Republicans would prefer to engage in overheated and overhyped tax rhetoric than they would roll up their sleeves, sit down, and get to work on legislation solving the real problems working Americans are facing across our country each day.

I will tell you, it is clear and it is disappointing.

I yield the floor, and 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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, the record has been made clear today. We wish we had been doing some legislating. We have not been. I have had a number of conversations with my distinguished counterpart, Senator MCCONNELL.

Senator MCCONNELL, following the caucus he had with his Senators, as I have with mine every Tuesday, my understanding is a concern was raised in the caucus about the number of judges who have been or not been approved by the Senate in these last few months.

As you know, one day last week we approved five judges, one circuit court judge and four district court judges. We thought that was a step in the right direction. What are we going to do the rest of this year? You know, there is a Thurmond doctrine that says: After June, we will have to take a real close look at judges in a Presidential election year.

June is fast approaching. I believe that is the time set forth in the Thurmond doctrine. So today Senator MCCONNELL and I in our conversations talked about all of the various judges who could be brought up, should be brought up, may be brought up, and we went over the different circuits and talked in some detail.

Following my first conversation with Senator MCCONNELL, I called the Judiciary Chairman, Senator LEAHY. He

and I have a wonderful relationship. He defends me on the floor, I defend him on the floor. Our wives are friends. He is a good person. I think the world of him. So I called him so there would be no misunderstanding. He came over to my office following the telephone conversation. And after the telephone conversation I called Senator MCCONNELL. Senator LEAHY came to my office and we visited again about the judges. We believe we need to make more progress on judges.

As we have said before, we do not want the minority to be treated the way we were treated during the Clinton years. We have done a pretty good job. At this time we have probably approved 90 percent of President Bush's judges, lots and lots of judges, well over 100 judges we have approved.

The Republican leader asked me: What can you do before our Memorial Day recess? What I have told him is we are going to do our utmost, we are not going to talk about district court judges, we are going to approve district court judges, the exact number of which I do not know, and Senator LEAHY and I are going to do everything we can to approve three circuit court judges by Memorial Day.

I would like to be able to guarantee that. I cannot guarantee it. A lot of things happen in the Senate. But I am going to do my very best. I want to live up to what I am saying here on the floor right now. Senator LEAHY knows I am here speaking before the American people today and to Senator MCCONNELL. So we are going to do our very best to approve three circuit court judges by Memorial Day. That is about the best I can do. Which ones, I have told Senator MCCONNELL. There are a number of alternatives we can have. He knows some by name, I know them by name. I do not want and I do not choose to go over them name by name at this time. But we have a number to choose from to get to those three. I will do the best I can, working with Senator LEAHY and the Judiciary Committee. And when I say "bring to the floor," that means confirm the judges.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, my good friend, the majority leader, and I, I think at the beginning of this conference—and I believe this is a correct characterization of where we were; I am sure he can disabuse me of the notion if it is not a direct characterization of where we were—we felt at the very least, President Bush, with regard to circuit court nominees, should be treated as well as President Reagan, President Bush 41, and President Clinton were treated in the last 2 years of their Presidencies.

Each of those Presidents found themselves with the following dilemma: The Senate was in the control of the opposing party, so there was a certain symmetry to this President. George W. Bush ends up the last 2 years of his Presidency similarly situated to Presi-

dent Reagan, President Bush 41, and President Clinton. The average number of circuit court judges approved for all of those Presidents was 17. President Clinton was on the low end of that at 15.

As of today, April 15, we have approved in this Congress seven circuit judges. Except for last week, there had not been one since last September. I am sure the majority leader would agree with me that we are running dramatically behind. We know there is an election coming up in the fall.

The majority leader mentioned the so-called Thurmond rule which at some point here will probably be implemented, indicating there will not be any circuit judges approved.

We currently have before the committee two judges, one from North Carolina and one from South Carolina. The one from North Carolina has a unanimously well qualified from the American Bar Association and has previously been confirmed to his current position as a district court judge by the Senate. The blue slips are back on both of these judges. We anticipate there will be a nominee from Virginia who will have blue slips returned and, in the near future, two nominees from the State of Michigan whose blue slips will be returned. As we all know, in Michigan there are two Democratic Senators and in Virginia there is one Democratic Senator and one Republican. In South Carolina and North Carolina, there are two Republican Senators. The chairman of the Judiciary Committee has made it clear he is not likely, almost certainly not likely, to move a nominee from a State for which there are no blue slips. So we have blue slips in on North and South Carolina, and both nominees have been waiting for quite some time. So there are nominations ready to go.

What I have said is there is a great interest on my side in seeing three circuit court nominees confirmed by the Senate before the Memorial Day recess. The majority leader has indicated he is comfortable with that. We have not picked the candidates, but let me suggest it would be unfair to discriminate against a State which has two Republican Senators with blue slips in and has had nominees pending for quite some time in favor of nominees only recently with blue slips in or only recently nominated. The principle should be the same regardless of whether a State is represented by two Republicans, two Democrats or one Republican and one Democrat. If the blue slips are in, the blue slips are in. If the nominee is otherwise qualified and noncontroversial, I would hope, I say to my good friend, the majority leader, he would share my view that we should not discriminate against a nominee from a State with two Republican Senators, the nominees having been pending for quite some time, in favor of recent nominees who happen to be from States with two Democratic Senators or one Democratic and one Republican

Senator. I wonder if my friend, the majority leader, has any observation about that.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we have a number of places from which the Judiciary Committee can move matters to the floor. We have North Carolina, South Carolina, Rhode Island, Maryland. We have Pennsylvania. The Pennsylvania situation, we have a Democrat and a Republican there. As I recall the judge's name, the nominee there is a man by the name of Pratter. We have someone from Virginia. We have, as of today, two from Maryland. We have a wide range to choose from. I say to my friend from Kentucky, no, it should not be because you have two from the same party from one State and they are not our party, that should not cause them not to have their nominee approved. As I indicated last week when we got into a discussion about this, we should measure the quality of the nominees, not the quantity. We are today talking about the quantity of nominees. But we also have to be concerned about the quality of these nominees. We should confirm capable, mainstream nominees who are the product of bipartisan cooperation. With this committee, to get something out of the committee, it has to be bipartisan. I guess it doesn't have to be, but that is the way we would like it.

So we have done a pretty good job. Last year, we had a very controversial judge. One of the Senators on the Judiciary Committee decided she would vote with the minority. As a result of that, a controversial judge was reported to the floor and ultimately approved. So we are working very hard to arrive at three judges by the time of our break, which is 5 weeks from now, I believe. I said when I got this job, that if the nominations of judges are important to my friend, the Republican leader, they are important to me. I have some knowledge of difficulties with judges on the floor, having survived, as the Democratic leader, the so-called nuclear option. So I understand how people feel strongly about judges. Democrats feel strongly about them. Republicans feel strongly about them. When Senator Lott was majority leader, he said words to the effect: Why should we worry about them in the Senate? People don't care about judges. This is something that is just within the Senate.

I, personally, don't feel that way. I feel these men and women who have lifetime appointments are extremely important and that we should—even though Senator Lott might be right, maybe people outside Washington don't care about judges, I care about judges. The Republican leader cares about judges. I will try my best to get three judges approved by the Senate before the Memorial Day recess.

Mr. MCCONNELL. Mr. President, the only thing I would add with regard to my earlier comments, just picking, for

example, the North Carolina judge, the Fourth Circuit is a judicial emergency. The chairman of the Judiciary Committee has set forward some standards. His first standard: If a vacancy is deemed to be a judicial emergency, it should be addressed quickly. That is the chairman of the Judiciary Committee. In the case of the Fourth Circuit, it has been declared a judicial emergency. It is one-third vacant. The nominee from North Carolina, to pick an example, is not controversial, has a unanimously well qualified from the ABA. The blue slips are back from both North Carolina Senators. My only point to my good friend, the majority leader, was it would seem not to be fair, when you have a nominee pending for a long time who is not controversial, upon which the blue slips have been returned, where there are two Republican Senators, for that nominee to be in effect moved to the back of the bus while you handle nominees nominated more recently from a State with two Democratic Senators or a State with one Democrat and one Republican Senator.

What I am pleading for is a sense of fairness. I believe in the case of both North Carolina and South Carolina, with the judicial emergency existing on the Fourth Circuit, you could make a strong case that they should be dealt with first under the standards of the chairman of the Judiciary Committee. But in particular I cite the nominee from North Carolina because he has been declared noncontroversial, had the unanimous ABA approval rating, and has been pending for hundreds of days. I don't know why we couldn't meet the goal the majority leader has set out of doing three circuit court nominees before Memorial Day. There is no reason not to. There are enough ready to be dealt with who don't require additional paperwork.

So I guess my question of the majority leader is, What is his view as to the likelihood that we would get three circuit judges confirmed before the Memorial Day recess?

Mr. REID. Mr. President, first of all, Chairman LEAHY understands. If there is an emergency in a circuit, he understands the importance of doing something about that. He has expressed that publicly and privately. Also, in this overall process, let's make sure we understand, there are vacancies out there in the circuit courts that we have no nominees for. We are waiting for them. I say to my friend, as I have said before, I am going to do everything to work with the Judiciary Committee. Senator LEAHY said he would do that too. I think we can say we would work very hard to make sure there are no holdovers. That is, if somebody is reported out, we will do our very best to make sure they don't waste that week on that. I am going to do what I can to fulfill what I have said. I will do everything within my power to get three judges approved to our circuits before the Memorial Day recess.

Who knows, we may even get lucky and get more than that. We have a number of people from whom to choose. Maybe the President can send us down a few more names on some of those vacancies that are there now. I don't know what more I can say than to say what I have said. I have to work with the committee, within the rules they have, and do the best I can.

Mr. MCCONNELL. Mr. President, I guess the only thing I would add, would the majority leader agree with me on the following principle: That a circuit judge from a State with two Republican Senators, who is completely qualified and upon which two blue slips have already been returned and have been pending for a long time, does the majority leader share my view that those type nominees from States with two Republican Senators should not be discriminated against in trying to meet our responsibility? We have only confirmed seven circuit judges throughout this Congress. We are a long way from coming anywhere close to what President Clinton got at 15.

Mr. REID. Mr. President, I hope the record will reflect the smile on my face because the fact is, we had, for years, two Democratic Senators from a State and those nominees of President Clinton weren't even given a hearing. More than 60 weren't even given a hearing. They were pocket vetoed, for lack of a better description. So, yes, I think if you have two Senators from the same party, they should not be discriminated against. I mentioned their names. Their names are Matthews and Conrad. I have spoken to Senator LEAHY. The first time I talked to him was today. Of course, we will take a look at those.

Mr. MCCONNELL. Well, I certainly understand what the intention of the majority leader is. We will need to discuss this further, I guess privately. I certainly understand his intention. I know he is a person who operates in good faith. I trust him. We have had a good relationship over the last period during which we have been in our respective positions. I guess the calculation I have to make, at some point, is what is the likelihood of this occurring, because there is a deep-seated unrest on our side related to this low number of circuit court judges. I think that is understandable. It is a paltry number in comparison to how President Reagan, President Bush, and President Clinton were handled in a similar situation. But I understand the representations my good friend, the majority leader, has made as far as he is prepared to go today. We will continue to discuss the matter.

Mr. REID. Mr. President, the only thing I would say, my good friend asked the odds. I am from Las Vegas. I don't bet. I hope they are good odds. I am going to do everything I can to live up to what I have said this last 5 or 10 minutes.

Mrs. BOXER. Will the Senator yield, my leader yield to me for a question?

Mr. REID. Surely.

Mrs. BOXER. I was pleased to see this dialog back and forth. Because, frankly, I have been wondering, as chairman of the Environment Committee, what was going on. We have a very straightforward bill on the floor. I didn't understand. We have a few amendments. We are very happy to deal with them. We have every group in the country, every construction group, management, labor, everyone, we have every State asking us to do this bill. I didn't understand, frankly, why we were waiting around. I wonder, I ask my leader—and I would be delighted to hear from the Republican leader as well, given this colloquy you had back and forth—and I know the Senator from Nevada as well as anyone here. When he gives his word like this and says: I am going to do everything I can, listen, I think that is as good as it gets around here. I am hopeful, and I would ask my leader to tell me and the Republican leader as well, Senator INHOFE is here, I am here, we are very anxious to move our bill forward, 500 transportation projects, not one penny of added spending; it will unleash a billion dollars' worth of jobs, I am wondering whether you could let us know tonight what are the chances that we are going to be able to move forward.

Mr. REID. I say to my friend, I wish we had moved to this bill Thursday night, legislated yesterday and today. We haven't done that.

HIGHWAY TECHNICAL CORRECTIONS ACT OF 2007

Mr. REID. Mr. President, I now ask unanimous consent that all postcloture time be yielded back, the motion to proceed be agreed to, and the motion to reconsider be laid upon the table, and that the Senate now proceed to the consideration of H.R. 1195.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

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 Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Highway Technical Corrections Act of 2007".

SEC. 2. SURFACE TRANSPORTATION TECHNICAL CORRECTIONS.

(a) CORRECTION OF INTERNAL REFERENCES IN DISADVANTAGED BUSINESS ENTERPRISES.—Paragraphs (3)(A) and (5) of section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1156) are amended by striking "paragraph (1)" each place it appears and inserting "paragraph (2)".

(b) CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1102(c)(5) of the Safe,