

Mr. McCONNELL. No.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, the Senate Intelligence Committee is a great committee. I served on that committee. I wanted to have a chance to have a dialog here with the Senator from Kentucky, the leader on the Republican side. He continues to overlook the obvious. The Foreign Intelligence Surveillance Act bill is the product of two committees—not one but two.

He says, well, he likes the Intelligence Committee version, and certainly it was a version that passed with an overwhelming bipartisan vote. But the fact is that the Senate Judiciary Committee also passed their version of the bill relating to specific elements that are equally important to the Intelligence Committee work, and what Senator REID, on the Democratic side, has tried to do is to give us a chance on the floor to vote on some of the key issues raised by the Senate Judiciary Committee.

In fact, we reached an agreement on how we were going to do it. It took us a week or more to craft a unanimous consent request to lay out the specific amendments we were going to, with understandings about how much time would be devoted to each and what the vote would be. I can tell you, I was involved in some preliminary parts of it, Senator REID stuck with it to the bitter end, and we did reach an agreement.

So what is stopping us? What is stopping us, for reasons I can't explain, is that the Republican side, which refused to yield for a question, wants to blame us for slowing down a bill which they are stopping us from calling.

That is what it boils down to, in the simplest terms. They want to blame the Democratic majority for not passing FISA. Yet they refuse to allow us to bring it to the floor and consider the amendment so that we can have a vote and bring it to final passage, take it to conference, and send it to the President. They cannot have it both ways. They cannot blame us for holding up a bill that they are holding up.

Secondly, let me say a word about the stimulus package. I would like the Republican leader, who tantalizes us with bits of information when he comes to the floor, to really spell it out. What is it in the Senate Finance Committee bill, this bipartisan bill, this Baucus-Grassley bill, what is it they object to? The so-called Christmas tree argument, the goodies, the pet projects? Let's be very specific about it.

Do the Republicans, the Senator from Kentucky and others, object to providing an additional few weeks of unemployment insurance for those who are out of work? If that is the case, say it. Do the Republicans object to the idea that we are going to try to deal with the housing crisis in America and put some provisions in to deal with that in an honest way? If so, say it. Do they object to Senator CANTWELL of

Washington who is pushing for energy tax credits—an innovative, constructive part of our economy—that will help businesses get started creating jobs and keep America in the forefront of this research? If the Republicans object, say it. They are walking and dancing around, and they just will not come forward and say it.

We think the Baucus-Grassley bill, a bipartisan bill, is a good bill. We want to vote on that bill. We want the Republicans to go on record.

If they believe the homebuilders across America do not deserve some sort of tax benefits in one of the roughest times they have had to face in modern memory, then, for goodness' sake, be on the record and say it. But they come to the floor and tell us: Maybe we do not need a stimulus package. They argue that unemployment benefits aggravate unemployment. They do all of those backward arguments. It is no wonder that Senator REID continues to reference George Orwell; it really is impossible to follow their logic on the floor. But I think the American people know the outcome. The outcome is that we will do little or nothing today because the Republicans insist that little or nothing be done today, and then tomorrow they will come to the floor, and they will complain that nothing was done today.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, before my friend leaves the floor, I would like to direct a question through you to him. I have not had a chance to speak to the distinguished Democratic assistant leader, the whip, about this.

Are you aware that this perfect package the President has been talking about keeping together, the great bipartisan effort with the House and his people, are you aware that this package which we have been pushed and pushed to "take it just as it is," are you aware that the Secretary of the Treasury today testified and made a statement that he thinks it is a pretty good idea to have seniors and disabled veterans included? Are you aware of that? So this perfect package may not be as perfect as they thought it was.

Mr. DURBIN. I would respond to the majority leader by saying that obviously the notion of a bicameral Congress has been tested and proven. I am glad Senator ROBERT C. BYRD is on the floor here to witness that statement, with which I am sure he will agree.

The fact is, as good as the House package might have been, we are doing our best to improve it. And now, as I understand it, two so-called pet projects—helping 20 million seniors and a quarter of a million disabled veterans—are now becoming pet projects of the administration. It would be great, and I hope the Republican side will join us in the rest of our bipartisan package.

Mr. REID. Mr. President, if I could direct another question to my friend. You are aware that the 49 Repub-

licans—I should say 46 because 3 already voted courageously in the Finance Committee, so 46 Republicans are going to have to make a decision. They are not going to be able to pick and choose whether seniors are more important than people with no heat in their homes, more important than people with no jobs, more important than people who are having their homes foreclosed upon. The distinguished Democratic whip understands that they are going to have to vote for the stimulus package out of the Senate Finance Committee, not pick and choose which is more important, whether senior Americans are more important than the unemployed or the people with no heat in their homes or the people losing their homes? Does the distinguished Senator from Illinois understand that?

Mr. DURBIN. I would respond to the Senator from Nevada, our majority leader, that I hope the Republicans understand that the package we bring to the floor is the result of Finance Committee deliberation and votes and a bipartisan rollcall in support. It is not as if we were imposing our will here. We are bringing to the floor the measure that passed the Senate Finance Committee. And when was the last time a bill came to the floor which you agreed with in all of its different sections? There are usually one or two things in there I wish were written differently.

I would say to my friends on the Republican side that if they believe we should say no to families in Kentucky, to families in States around the Nation who are struggling with heating bills, then they have to understand that has been part of the bipartisanship package brought to the floor, and they will be voting against those people and voting against the unemployed, and that will be the record they can carry home from this debate.

RECOVERY REBATES AND ECONOMIC STIMULUS FOR THE AMERICAN PEOPLE ACT OF 2008—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 5140, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (H.R. 5140) to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Let Senators be aware that we Senators must and should address one another in the third person. There is a reason for this: It minimizes the chances of us having on display bad tempers. Are Senators aware that Senators should address one another—how? Not in the second person but, rather, in the third person? Is the Senator from Timbuktu aware of that

rule? Is the Senator from West Virginia aware of the rule? Yes.

The Senator from West Virginia will take his seat. I thank the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I ask unanimous consent that the Senate now stand in recess under the previous order.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:25 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER.)

RECOVERY REBATES AND ECONOMIC STIMULUS FOR THE AMERICAN PEOPLE ACT OF 2008—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me first express my disappointment that we are not able to vote on the economic stimulus package. That package was reported out of the Senate Finance Committee last Wednesday. Each of us had plenty of opportunity to review the report from the Finance Committee and the provisions they added to the House package. For reasons I cannot understand, the Republican leadership is denying us the opportunity to act quickly on the package.

One of the major criteria for the economic stimulus package is it must be timely. The House took it up, passed it. Now it is our turn. We are ready to act. We have the bipartisan recommendations from the Senate Finance Committee. Now it is time for us to take action.

These are very difficult times. Let me review some of the most recent economic news. It is not good. The stock market is 11 percent lower than it was last October when it reached its peak. The price of oil has reached \$100 a barrel. That is causing hardships for many families. Last month we saw job loss, an actual decline in employment for the first time in 4 years, a shrinking workforce. The President submitted his budget. He is showing the deficit, by his own numbers, increasing from \$162 billion to \$410 billion. That debt does not include the use of Social Security surpluses. It does not include such things as paying for the alternative minimum tax that we know we will have to deal with. We have tough economic times.

When one looks at the housing market, there is reason to be concerned. In 2007, home sales were down by 13 percent over 2006. There are over 4 million properties currently in inventory, a very high level of homes that can't seem to move off the market. We are all concerned about the subprime foreclosure rates. It is estimated now that we could have as many as 2 million

subprime foreclosures by the end of next year. There are many ripple effects to what is happening in the economy. I was talking to some people in Baltimore, where we have the General Motors transmission plant. They were telling me that their sales of light trucks are down because of the housing industry, because so many of the people who work in the housing industry need light trucks. We have lost jobs in Baltimore as a result of what is happening in the housing market.

Another interesting fact, it is affecting local governments. It is now estimated that as a result of the decline in housing values, local governments will lose close to a billion dollars in property tax revenues. There is a real ripple effect to what is happening in our economy.

We have a responsibility to act. I congratulate the Federal Reserve for taking action on the prime rate. That was helpful. It was directly helpful in reducing interest rates, but it was also a clear signal that the Fed is going to operate to help the economy. So should we. For us to be effective, we must be timely. To be timely, we must vote on this bill. I am extremely disappointed that we can't use the time we have available today to take the necessary votes so each Member can cast their vote as to whether they agree with the Finance Committee, and then we can move on and send this bill back to the House and hopefully to the President within a short period.

I am pleased with the work of the Finance package. Another major point about a successful economic stimulus package is that it should be targeted to those programs that will help create job opportunities immediately. It is short term so it needs to be targeted. The Senate Finance package incorporates what the other body did in rebates to taxpayers, providing business relief through expensing and depreciation, but it goes further with some relatively modest changes in the total dollar amount but extremely important, if we want to make sure the economic stimulus package is targeted to those who need it and will help our economy. It also should be targeted to be fair, looking after the people who need help, the people who have been disadvantaged by a downturn in the economy.

The Finance Committee is recommending that we include low-income seniors. Low-income seniors are hurting today. They don't know where they are going to get the money to buy food or pay utility bills or medical expenses. There is a misconception that seniors have this wonderful health care system called Medicare. Seniors as an age group have the highest amount of out-of-pocket health care costs of any age group. Seniors are being hurt by the high cost of fuel. Seniors need help. Why should we leave them out of the package? Certainly, if we want to target it to those who will spend some money to generate economic activity,

low-income seniors should be high on the list. Looking at it from the point of view of fairness, we should want to include low-income seniors. Quite frankly, I believe it was an oversight by the other body. I don't think this is controversial. It should not be controversial. That should be clearly added to the package. I congratulate the Finance Committee for including low-income seniors.

The Finance Committee also included disabled veterans. Those receiving disability benefits would qualify for a rebate. Let me talk about a matter of fairness. We are talking about men and women who answered our Nation's call who are now receiving disability benefits. That, again, was an oversight by the other body. They clearly wanted to include disabled veterans in the tax rebates we are putting forward. I don't believe this is a controversial issue. It is a matter of fairness, a matter of people who will help our economy, targeting the economic stimulus properly.

The Senate Finance Committee package also included an extension of unemployment insurance benefits. I want Members to concentrate on this one. When you have economic downturn, people lose their jobs. When they lose their jobs, in many cases their sole source of income becomes unemployment insurance compensation. The money we give as a safety net into which they paid through employment taxes—it is their money—is an insurance program. When we go through an economic downturn, it is more difficult for someone who has lost a job to find a job, because there are less jobs available. Historically we have extended the traditional 26 weeks of unemployment benefits beyond that, when we have an economic downturn. The Finance Committee said, as a matter of fairness, we should extend those benefits by an additional 13 weeks. For those States that have high levels of unemployment, we should go to 26 weeks of additional benefits. That is certainly the fair thing to do, because they are the people mostly hurt by the downturn in the economy. If our criteria is to target money into people's hands who are going to spend it if that is their source of income, we know that is going to get back into the economy. So it will help our economy to extend unemployment benefits.

The Finance package also includes an energy package to provide incentives for businesses to move toward more efficient energy sources and more environmentally friendly energy sources. It would include a package that will allow us to energize the economic sector for what we call green jobs. We know we need to change our energy policy. We know we need to be more sensitive to the environment. We need to be energy independent for national security so we don't depend upon other countries who are unfriendly toward us for our energy needs. We need to do that in order to deal with the problems