

GAS PRICE REDUCTION ACT

Mr. McCONNELL. Mr. President, the Senate came back into session 4 days ago and we have yet to address the No. 1 issue in the country; that is, high gas prices. There were 44 Senate Republicans who introduced legislation over 2 weeks ago which would have an immediate impact on the price at the pump.

The Gas Price Reduction Act can be summed up in four simple words: Find more, use less. The Gas Price Reduction Act focuses on simple solutions which already have support from many of our friends on the other side of the aisle.

Many of our colleagues, Democratic colleagues, have now acknowledged the merits of allowing States to open the Outer Continental Shelf for deep sea oil and gas exploration. Our bill was limited to only those States that want to do that. It gives a State option for the opportunity to go onto the Outer Continental Shelf for deep sea oil and gas exploration. We all agree we can do more in encouraging the development of alternative energy sources, which is why the Gas Price Reduction Act contains incentives to develop plug-in electric cars and trucks and new battery technology.

In addition, we included measures to strengthen the U.S. futures markets by increasing funding and staff for the Commodity Futures Trading Commission and examining foreign markets. These ideas also have support from many on the other side of the aisle.

By focusing on the areas where we agree, instead of the ones where we differ, we can achieve results for the American people. I ask my good friends on the other side of the aisle to join us in finding energy policies we can agree on. Believe me, the American people are demanding it. We can pass meaningful legislation which would develop more American energy while encouraging conservation, and we need to do that very soon.

NOMINATIONS OF GENERAL PETRAEUS AND GENERAL ODIERNO

Mr. McCONNELL. Mr. President, we also have an opportunity today to confirm the nominations of two of our Nation's leading generals. Secretary Gates and Admiral Mullen have both, rightly, talked about the challenges facing the Nation as we transition from one Presidential administration to the next during a time of war. The next President will be fortunate to have General Petraeus and General Odierno responsible respectively for central command area of operations in Iraq.

It is the nature of world events that the next President will be confronted with some international emergency that could not have been anticipated. What we know is that our strategic interests in the Middle East and Persian Gulf are longstanding and are being challenged. We know that the threat of

an Iran regime bent on securing a nuclear weapon will not end when a new President is sworn in next year.

We know that despite the real progress made as a result of the surge of forces into Iraq, that the transition of forces, responsibilities, and missions must be managed with a steady hand.

Both of these fine officers are well prepared for their next responsibilities. As a nation we are lucky to be able to call upon such men at this critical point in American history.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

ENERGY

Mr. REID. Mr. President, my distinguished colleague is right, gas prices are a tremendous issue. We in Nevada feel it very deeply. The average price of gasoline is now \$4.11 or \$4.12 a gallon. In Nevada it is much higher than that.

We have to do something, there is no question, with domestic production. Right now, we have, counting ANWR—and the Republicans thankfully have stopped raising that as an issue; they do not want to drill in ANWR; that is good. But even counting ANWR, and all of the offshore, we have less than 3 percent of the oil in the world. So we cannot produce our way out of the problems we have, because we in America use more than 25 percent of every barrel of oil that is used every day. We use more than 25 percent of it. But we can do better with our domestic production, and we need to do that.

The Republican bill that has been introduced does not have a single line in it that deals with renewables. But I accept the invitation of the Republican leader and I hope he accepts our invitation. Let's work together to try to get something done as it relates to domestic production.

In the other areas, as we know, there are 68 million acres available for drilling right now, 68 million acres. How much is 68 million acres? Look at a map of the United States. Look at the State of Nevada. If you discount Alaska, we are the sixth largest State in the Union. We make up about 68 million acres. From the southern tip of Nevada to the top is more than 700 miles; across the top of the State of Nevada is more than 400 miles; a lot of space. That is how much area is left available to drill right now. We ask and invite the oil companies to start drilling, find out where in the 68 million acres there is oil. We know there is oil. I also invite the oil companies to look at the 8 million acres in the Gulf of Mexico that we legislatively, less than 2 years ago, allowed them to explore and drill.

We know we need to do a better job producing domestically. We are going to do our very best to do that. But we hope there would also be an agreement that any oil that is drilled and produced in the waters off the coast of America be used in America. That is

important. And we have had test votes in that regard.

When there was a question about whether there would be drilling in ANWR, we asked that oil—and I believe the amendment was offered by Senator WYDEN, an amendment that said: Okay, we can drill oil out of ANWR. You must use that oil in the United States. All but 16 Senators said: That is absolutely right.

One of the 16 Senators who said no was JOHN MCCAIN. I hope JOHN MCCAIN would join us in saying that the oil we get offshore should be used in the United States. In the past, obviously, he has disagreed with that. I do not think it is fair that we drill in the territorial waters of our country and then ship that oil overseas.

We also have to deal with speculation. The Republican leader mentioned that their bill talks about adding staff to the CFTC, the entity that controls some of the trading that takes place with oil. We also agree there should be something done. I am having a meeting today, and we are going to make a decision as to what that legislation should be. So we share that with our Republican friends and hopefully they will join us in that regard.

One thing that is not in the Republican legislation that we think is so vitally important to use at this time, as did this President's father when he was President, is the Strategic Petroleum Reserve we have in America, which is 97 or 98 percent filled. Why did we fill it? For emergencies. I think for emergencies such as this, as was done with his father. Once you start tapping that, the price of gasoline goes down very quickly so we would hope there would be efforts made by this administration to start taking oil out of the reserve. I think there is room for us to work together; that is, Democrats and Republicans to try to meet the expectations of the American people.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

AMERICAN HOUSING RESCUE AND FORECLOSURE PREVENTION ACT OF 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 3221, which the clerk will report.

The legislative clerk read as follows:

A message from the House of Representatives to accompany H.R. 3221, an act to provide needed housing reform, and for other purposes.

Pending:

Reid amendment No. 5067 (to the motion to concur in the amendment of the House adding a new title to the amendment of the Senate), to change the enactment date.

Reid amendment No. 5068 (to amendment No. 5067), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, and with the Senator from Connecticut, Mr. DODD, controlling the final 10 minutes.

The Senator from Wyoming.

ENERGY

Mr. ENZI. I will be using some of the first of the Republican minutes. I thank the leader for his comments on energy. I too think we can get together and solve a huge problem for this country.

I do want to make a clarification on the Republican bill that was put up. I do not want anybody to think that was comprehensive. The leader mentioned some things that were left out. I have got a number of matters that were left out of that bill that should be in there, except what we have a tendency to do in this body is to lump everything into one big bill. If a few people do not like this part and a few people do not like that part, then pretty quickly we cannot get a majority. So we need to do things in a smaller way. This will make a huge difference in the price of gasoline. The Republican bill would make a huge difference in the price of gasoline. But it is a package that we thought everyone could come together on. And somehow we are going to have to do that in this body if the United States is going to progress.

We can bring down the gas price Goliath if Democrats and Republicans will work together to pass legislation that will help America find more oil as we use less. Actually we have to do both. If we increase the supply and we cut demand, we will beat this giant problem. If we use less and we find more, we will beat this giant problem.

I had the privilege of traveling around Wyoming last week during the July 4 home work period. There is no question that gas prices are the No. 1 topic on everyone's mind. In Wyoming the rising price of gasoline and diesel fuel hits us hard, because our cities and towns are spread out and we are often forced to drive tens if not hundreds of miles to get groceries and to go to work. I am personally as concerned as are my constituents with the rising price of gasoline. I get angry when I fill up my vehicle and I am charged more than \$4 a gallon for gas. I am skeptical when I hear the oil industry is making record profits and CEOs are taking home huge pay packages.

Well, what can we do about that? Increasing taxes will not produce any more oil. It would raise the price of gas further, and probably drive production off our shores, so we would be paying for oil from other places.

We do have a plan that would reduce gas prices. I have cosponsored S. 3032, the aptly named Gas Price Reduction Act of 2008. It recognizes that the biggest problem we face is the problem of supply and demand.

Right now America does not produce enough energy to meet our Nation's energy needs, but with increased efforts and innovation we could. We need to produce more domestic energy while we use less in the future. We need more American oil from American soil.

By developing more American energy as we work to conserve our usage, we will secure America's energy future. In order to do that, though, we have to have agreement from the other side of the aisle that we do want to develop more energy sources. We do not have that agreement yet. I do not know how much longer those on the other side of the issue can hold out against their constituents who are hurting from the higher gas prices, but I hope it is not long. We need to get something done now.

The bill I am cosponsoring is not perfect. It does not include everything I would like it to include. But it is a start. That is what we need, a start. We need to start doing something now to improve our Nation's energy situation. We need to stop playing "gotcha" politics and start coming together to start finding solutions. Congress should be addressing high energy prices by looking for solutions that produce more American energy while we reduce our usage. That is what those in control of both Houses of Congress do not seem to understand at this stage.

The continued rise of gas prices is going to put an end to the dog-and-pony show eventually, and when the dog-and-pony shows ends, and we stop playing "gotcha" politics, we need to start to take a look at our Nation's energy policy.

We need to come together to increase our energy supply. We need to look at the energy situation in steps. Instead of trying to pass massive bills that have provisions a number of Members can't support, we should work on passing smaller, consensus bills. We need to put partisan differences aside to figure out what we can do to improve our energy situation. How do we lower gas prices? We find more, as we use less. We increase our oil supply, as we each seek to cut back the amount of gas we use. Increasing supply by getting more American oil from American soil while at the same time conserving will lessen our demand and bring prices down. We have choices to make. Do we meet this challenge head-on by finding more oil, using less, putting our back and our brains into the task of developing better ways to use what we have, or do we do what many would have us do and say it is too late or that it is the oil companies' fault or they blame the Government and look to lawyers to solve our problems?

I have listened to my colleagues criticize the speculators who are, in theory, driving up oil prices. As the Wall Street Journal pointed out, Congress always needs a political villain and speculators always end up tied to the whipping post when people get upset about prices. We have an energy

problem, but instead of looking at what we can do to fix the problem, we continue to play the blame game. My colleagues don't mention that the so-called speculators are often pension funds or airlines that want to stay in business and stabilize future fuel prices. My colleagues often fail to mention that for every person who is making money in the futures market, there is a person losing money.

Major oil consumers need some certainty in this volatile market so they use the futures market to hedge their bets. They can't get certainty from Congress that we will produce more energy, so they need to find it somewhere.

I am cosponsoring the Gas Price Reduction Act. I am cosponsoring clean coal measures. I am advocating American oil production and refining. I am also pushing to renew important tax credits for wind and solar power so that we can use more renewable energy. I am not ready to let the greatest Nation on Earth sink into poverty because we were not willing to help ourselves.

I am also counting on the innovation of the American people. Americans are the most innovative people in the world. If they face a challenge, they will come up with solutions. I was part of the rocket generation. Sputnik went up when I was in junior high. Our generation figured out how to get a man on the Moon. We had the computer generation, and we have led the computer world. Then cell phones were the next generation. Now we need the energy generation. We need the kids to invent clean ways, better uses, and more production. It can be done in a good way.

We are in the situation we face today because we haven't acted for years. We did not get in the situation overnight, and we won't get out of it overnight. What we can do is work to make the situation better. I am committed to working with colleagues to do just that. Let's stop playing the blame game and start working together to get things done. Moving forward with the Gas Price Reduction Act or, if not that specific bill, then parts of it, is what we have to do to bring prices down. If we don't move now, we may not be able to afford the gas so we can move into the future.

I yield the floor and reserve the remainder of our time.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank my colleague for talking about the energy situation and the price of gasoline. I have traveled my State hard. I know Senator ENZI knows his State like the back of his hand. He goes to every place in it repeatedly and talks to average people. They are hurting.

Look at the numbers. In 1 year, over the last year, the average family drives 24,000 miles a year. The average family

is paying \$105 a month more for gasoline for their automobiles than the previous year. You go back over, since 2003, it is \$217. That is a new expense they never had before, and 60 percent of that money is sent abroad to purchase oil that we utilize because 60 percent of our fuel comes from abroad. It totals \$500 to \$700 billion in a wealth transfer each year now. It is unbelievable. T. Boone Pickens said it is the greatest wealth transfer in the history of the world and it is adversely affecting our economy, not just the fact that the family has less money now to take care of other needs. It has to go to gasoline so people can commute to work, in large part, I would submit, by the failure of this Congress to act.

I have been speaking on these issues ever since I came here. I have been pointing out the need for increased production consistently. We produce off my coast in Alabama substantial amounts, but 85 percent of our offshore production is now blocked.

We need to do this. We are talking about \$105 more a month out of the family budget, so they can't purchase items with this money. It is rippling through the economy. It is not a ripple; it really is a tsunami.

Let me point out some of the things in recent magazines and recent newspaper articles. Here from the New York Times yesterday:

High fuel costs lead AirTran to cut 480 jobs. AirTran announced it would eliminate 480 pilot and flight attendants' jobs, joining a growing list of airlines that have cut their workforces in the face of high fuel prices.

The cost of jet fuel has risen 92 percent this year, which is almost double in 1 year.

Here is the New York Times of July 8:

Markets decline even as oil pulls back a little bit.

The price dropped just a little.

Wall Street, which has been hurtling stocks lower for the past few weeks, remains fearful that consumers are trimming their spending to pay for gasoline. With consumer spending accounting for more than two-thirds of [U.S.] economic activity, a pullback would create big ripples.

Boy, I tell you, they are reducing spending; \$105 less a month they have now to spend on other items because they are having to spend on it gasoline.

Here is the Wall Street Journal the day before yesterday:

Stock Drop Spooks Currency Investors: Oil Prices Still Key.

... Janet Yellen [Federal Reserve Bank member], who made surprisingly worrisome comments about inflation.

"The continuing rise in oil and commodities has certainly raised the inflation risk."

It is just every day. Does anybody not understand this? I have to tell you, I have to say, and I have spoken about this several times, I am utterly disappointed in my Democratic colleagues for having no plan whatsoever to deal with this problem. It is just not a plan. I am willing to discuss how we can work together. I am not wedded to every single issue, I would say. I am

willing to consider anything that will work. But I will tell you that the Democratic leader made a speech down here, and they offered a policy that proposes these things:

Tax the oil companies; that would make us feel better. It might even be a good policy to raise revenue, perhaps. But it is not going to increase oil production to tax the people who do it. When you tax something, you get less of it. People cannot pass a law to repeal the law of supply and demand. You tax it, you will get less of it.

No. 2, they want to prosecute, pass a law to empower the FTC to prosecute stations for price gouging. We already have a law that allows the FTC to do that. They say the gas stations are not prosecuting. They want to go prosecuting after speculators. Speculators are able to operate and be successful. I don't defend them. They are out to make a buck any way they can. They are able to do that because we have a demand for oil that is greater than supply. I think it is 86 million barrels of oil demand a day at this point and 85 supply. So they are able to maneuver in that thing and play this game and make themselves some extra money. But if we got the supply up and our demand down, they wouldn't be able to do this. They couldn't do it when we had \$10-a-barrel oil a decade or so ago.

They want to sue OPEC. OPEC, what do they do? OPEC meets to decide the amount of oil they want to produce essentially, and that creates the shortages that are driving up the price. Eighty percent-plus of the oil in the world today is not held by oil companies. It is held by nation states, many of them hostile to the United States. OPEC meets to set the price by controlling the supply. They are reducing and not producing the oil that they could if this was a real free market. They are manipulating the market. OPEC meets to decide how much they are going to tax the consumers of the world and, in particular, how much they are going to tax us.

I have to tell you, it is a dramatic thing that is happening. I am told that it costs less than \$10 a barrel to produce oil from the sands of Saudi Arabia. Yet they are selling it for \$140 a barrel. This is the kind of wealth transfer that is damaging our economy. It is hurting this Nation. It is something we have to confront with real policies that will work, and there are some.

I happened to catch Jack Welch, former CEO of GE, on one of the morning talk shows not long ago. They were dealing with this question of Senator OBAMA and many of our colleagues here who say: Don't drill in Alaska; it might take 10 years. It wouldn't take quite that long, but they say 10 years. You shouldn't drill off the coast; that will take 10 years. Really, drilling off the coast, you begin to get production. They drill off my coast in Alabama right now, but there are other areas with lots of reserves. It would take 3 years, 5 years to get production.

This is what Mr. Welch said. He said: It is amazing to me that a person who aspires to be the President of the United States would say he is not going to take a policy today that won't have an impact for 5 years. Think about it. He went on to say: A President should be thinking 5, 15, 30 years down the road. We need to be doing the things that serve our long-term national interest. Just because it would take some time to have this go forward, we should not delay taking action.

The matter is pretty serious. A Wall Street Journal article by Gerald Seib, executive editor, notes that there are three problems with the high prices of oil. One is that, of course, it impacts the family budget. The second is that the high prices weaken our Nation's economic independence because we owe so much money for it. Thirdly, the money is enriching countries, many of which are hostile to the United States.

So I think we are at a point in time when we need to get together, Republicans and Democrats, and recognize that we face a problem that challenges our family budgets, that we have, in effect, taxed the American people, or allowed them to be taxed, by over \$100 more a month in 1 year alone, that we can make a difference and bring those prices down—certainly stop the continuing increase. But we have to do something. There are things we can do.

I will say, as a person who has been able, a few times, to go fishing on the gulf coast, we go out and fish under oil rigs because that is a good place to fish, and it is clean and there is no oil out on the water. They are very careful about that.

We have approximately 51 billion barrels or more of recoverable reserves in the Gulf of Mexico. That is a lot. We use, as a nation, 5 billion barrels a year, and 3 billion of that is imported. If you replaced that 3 billion, that would be 17 years right there just from offshore production in the Gulf of Mexico. We have 85 percent of our reserves still blocked. We have had production that is still being effective off the coast of California before that was blocked. None has been expanded since, in decades, and none, really, off the Atlantic coast. But there are reserves out there. States such as Virginia are talking about maybe that would be a good way to produce additional oil and serve the national interest.

We have the opportunity to produce oil from shale. There are 1.8 trillion barrels of oil in shale rock. Perhaps 800 billion of that is recoverable, experts tell us. We are using 5 billion a year, so that is 100 years or more from shale rock. I am told they can produce that at less than the current world price, keeping wealth at home, producing our energy at home, not sending that abroad.

I will tell you, one of the greatest potential breakthroughs that could help us with global warming emissions and

other areas is hybrid automobiles, particularly a plug-in hybrid. I strongly believe we should—my time is up.

Mr. President, I ask unanimous consent to have 1 additional moment.

The ACTING PRESIDENT pro tempore. Is there objection to 1 additional minute?

Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I will conclude by saying that nuclear power produces no emissions into the air. We need to expand it. We are at 20 percent now in our Nation. We have not built a plant in 30 years. France has 80 percent. We could plug in our cars at night, charge those batteries with clean nuclear electricity, and run back and forth to work. That is within our grasp right now.

Those are the kinds of things we need to be talking about: expanding wind, expanding biofuels, expanding the production of our existing resources, keeping American wealth at home, ending this incredible transfer of wealth.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Thank you, Mr. President.

UNFINISHED BUSINESS

Mr. President, I, too, want to talk about high gasoline prices, but I want to talk about other unfinished business this Senate has not taken care of. Fortunately, we do have one positive development; that is, yesterday we passed the Foreign Intelligence Surveillance Act—after 145 days had lapsed. So that is a good thing. But we have unfinished work to do.

For example, the Colombian Free Trade Agreement—it has been 597 days that our American farmers and manufacturers have been disadvantaged by tariffs on goods sold here in America. For my State of Texas, there is \$2.3 billion a year that is charged in tariffs for our exports when they are imported into Colombia, when Colombian goods bear no similar tariff when their goods are imported into the United States.

Then there is the matter of judicial nominees waiting for a vote—some as long as 742 days.

Then, finally, on the matter of gasoline prices, it was about 808 days ago when Speaker PELOSI said that if she and other Democrats were put in charge, they would come up with a commonsense plan for bringing down the price of gasoline at the pump. Well, that was when gasoline was about \$2.33 a gallon. Now gasoline averages \$4.10 a gallon, and we are still waiting for that commonsense plan to bring down the price of gasoline at the pump.

Increasingly, Americans are squeezed by the high cost of gasoline. Of course, it is driving up everything from food prices to competing with people's ability to pay for their housing, their health care, transportation, and, obviously, the tax bite, where State and local and Federal taxes take up a huge amount. About 111 days of income is used just to pay for that tax burden.

But what we need to do, I firmly believe, is to find more domestic energy as we use less. What do I mean by that? By using less, we need to conserve, we need to be more efficient. America consumes about 20 percent of the world's oil supply, and unfortunately, about 60 percent of that we import from foreign sources. We are literally held hostage by groups such as OPEC, the Organization of Petroleum Exporting Countries, countries such as Venezuela and Hugo Chavez and others that are charging us about \$140 a barrel for oil. Of course, that oil is used to make gasoline at refineries.

But my constituents in Texas are very worried about the failure of Congress to act by removing the impediments or the moratoria on developing what is about 85 percent of our natural resources here at home. That is what I mean by finding more while we use less.

For example, Debra, from Lovelady, TX—a town of roughly 600 people, just a “Texas mile” north of Houston—recently wrote me this letter. She said:

I am a school teacher in a small rural East Texas school, so my income is very limited. I drive almost 30 miles one way to work each day as do many of my family and neighbors. We have chosen to stay in small towns for the “everyone is family” feeling they still give, but it makes it harder to live with the cost of everything rising.

She said:

The rising price of gasoline is limiting everything I do. I will not make a trip to town unless it is for my monthly shopping needs or to go to church. There will be no summer trips for me this year as I do not see a way to afford driving anywhere.

She concludes:

I know there are vast resources America could tap into. . . . Please look into exploring the energy resources we already have in America.

Well, I believe Debra speaks for a lot of people in this country now as they see their prices go up, as it is driving commodity prices up, such as food costs. They are finding it harder and harder to make it, even if they do have a job, even if they have an income.

I believe it is past time for Congress to respond by removing the impediments to domestic production. That is why I cosponsored the Gas Price Reduction Act of 2008. That act can be summed up, as this chart says: Find more and use less. It opens up offshore and shale oil deposits for exploration so America's energy producers can gain access to Federal lands. This also will create jobs right here in America, which is something I would think we would want to do. In a time when we are talking about economic stimulus, about concern for the economy, don't we want to create more jobs here in America rather than having those jobs created in places such as Saudi Arabia or Mexico or Canada or Venezuela?

At the same time, this bill increases research and development initiatives and for battery-operated plug-in hybrid technology. I think it is hard for many of my constituents in Texas, with the

long distances they have to drive, to imagine a day when they will be driving a battery-operated hybrid car, but I do predict the day is coming, and companies such as General Motors and other car manufacturers, in 2010, will begin selling these plug-in hybrid cars that you can literally plug into a wall socket at night and recharge the battery and then drive about 40 miles on that battery before you have to get a generator to recharge the battery to provide you additional range. This is in our future. Right now we have about 240 million cars on the road, and the average age of those cars is about 9 years. So obviously it is going to take a long time—about a decade—before we can transition from the kinds of gas guzzlers and cars that we drive now to something that provides an additional alternative.

I think we are beginning to see some cracks in the intransigence of many in Congress to preventing additional domestic production. I know there are a number of Senators, a fabled group called the Group of 10, the Gang of 10—5 Republicans, 5 Democrats—who are meeting to try to come up with a bipartisan alternative. I applaud that effort. It is really important because, as we all know, nothing happens around here unless it is on a bipartisan basis. I think it is very important, as I saw the Democratic whip say that he was not opposed to more exploration and production.

I would invite those who are worried about exploration and production here in America to fly into DFW Airport where you can see gas wells being drilled into the Barnett shale right there from your airplane as you land or as you take off. It is being done using modern drilling technology which is compatible with the safety and security of the neighbors as well as a good environment.

We need to act in a bipartisan fashion on real energy solutions—a combination of conservation and energy production. It will be good for America's economy and our energy policy, as well as our national security. Find more, use less.

The ACTING PRESIDENT pro tempore. The minority time has expired.

The Senator from Wisconsin.

(The remarks of Mr. FEINGOLD pertaining to the introduction of S. 3237 are printed in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Ms. CANTWELL. Mr. President, today, I rise to express my support for the Housing and Economic Recovery Act.

The housing crisis in America has reached critical proportions. In Auburn, WA, Michelle was a single mom with an income that made it very difficult to find an apartment she could afford. Like so many people, she searched desperately to find a roof to put over her children's heads. The search is not easy. The search is not fair. But for the hundreds of thousands

of Americans that need affordable housing today, the search is a reality.

The number of renter households jumped by nearly 1 million last year, according to a Harvard University Joint Center for Housing Studies Report. And monthly rents are reaching record highs. Last year, they climbed to an all time sky high of \$775.

We are faced with a fundamental supply and demand problem: a ballooning renter population and a diminishing supply of affordable housing.

This is a problem that requires a real solution. And today, I am proud to say that we have taken action to put people like Michelle in the homes they so desperately need and deserve.

This action did not come without the hard work of many people. I especially want to commend Finance Committee Chairman BAUCUS, Senator GRASSLEY, and their staffs. Because of their hard work, we have included in this comprehensive housing and economic recovery package a set of provisions that encourage the development of affordable rental housing by expanding and improving the low-income housing tax credit. I also want to recognize the tremendous leadership of House Ways and Means Committee Chairman RANGEL, who has long been an advocate for affordable housing and a champion of the tax credit program.

Because of current conditions in the financial markets, the development of many affordable housing options has come to a screeching halt. And for the hundreds of thousands of homeowners that must now turn to rental housing, the homes they could afford are diminishing at an alarming pace.

I knew this was a critical problem that needed a solution. Many of my colleagues, including Senators KERRY and SMITH, agreed. We worked together to ensure that the tax title of this bill contains the provision that will extend the reach of two of our most successful and broadly supported Federal housing programs: the Housing Bond and Low-Income Housing Tax Credit Programs.

We now have the best cumulative version of what the Senate and House independently approved.

The Low-Income Housing Tax Credit Program was created as part of the Tax Reform Act of 1986 and made permanent in 1993. Designed as a public-private funding partnership, largely administered by the States, this program built its way into the history books as the most successful production program in existence.

These tax credits have created 2 million homes for families in need—homes with restricted rents for terms of at least 30 years that would have otherwise been impossible.

In fact, in April 2007, Michelle from Auburn, WA, moved into one of these homes created by tax credits. She is thriving and able to provide for her children. Without tax credits like these, I am unsure where Michelle and her family would be.

We are building opportunity out of this past success and passing this op-

portunity on to the Americans who need it.

This will work now to increase the number of affordable choices available to our neighbors in need. State agencies award housing tax credits to housing developers, who turn the credits into construction funds by selling them to investors. These funds allow developers to borrow less money and pass the savings on to renters in the forms of lower rental rates.

A classic “win-win” situation.

By extending the reach of this program in the tax title of this bill, we give States the flexibility they need to develop housing credit properties in hard-to-serve, often rural, areas; we give investors needed AMT relief for housing bonds, housing credits, and rehabilitation credits; and we give our vulnerable neighbors, like Michelle, the homes they need.

It is critically important that Congress’s response to the housing crisis not leave out those in need of affordable rental housing. I am proud of this legislation and am anxious to see it enacted into law.

Mr. LEVIN. Mr. President, I am pleased that we are at last moving closer to enactment of much-needed housing legislation.

The foreclosure situation in my State of Michigan continues to be dire. In 2007, there were more than 103,000 foreclosures. According to the data released recently by RealtyTrac, there were nearly 13,000 Michigan foreclosure filings in May alone, a 25 percent increase from the previous month. That is one foreclosure filing for every 353 households, which puts our State’s foreclosure rate at the fifth highest in the Nation. Nationwide, filings are up nearly 50 percent compared to this time last year, with one in every 483 U.S. households receiving a foreclosure filing in May.

Sadly, we all know that homeowners facing foreclosure are not the only ones being impacted by this crisis. Property values have plummeted in many areas, due in part to the glut of abandoned and foreclosed homes. Lost property values moreover translate into decreased State and local revenue from property taxes, creating a shortfall in revenues and reducing the budget available for valuable State and local programs and services.

Our Nation’s broader economic woes can also be traced back, at least in part, to the foreclosure crisis. There is a long chain of investors, lenders, and financial markets relying on American homebuyers to pay what, in many instances, are shaky home loans. Because of the record defaults on these loans, credit remains tight.

Throughout this crisis I have received wise counsel from many experts on foreclosure prevention and housing matters. Earlier this year I hosted a series of roundtable meetings in Michigan communities with leaders from local and State government, as well as organizations who are in the trenches

working with families facing foreclosure, to discuss practical ways to help homeowners and protect our economy from further damage. Many of the ideas discussed at those roundtables are included in this legislation.

I have also had the benefit of advice from Bernie Glieberman, chairman of the board of the Michigan State Housing Development Authority, and member of the board of the Michigan Housing Trust Fund and Harvard University’s Joint Center for Housing Studies policy advisory board. Long before the committees started crafting this housing bill, Bernie brought to my attention the idea of increasing tax-exempt bonding authority to enable State housing agencies to help struggling homeowners acquire more affordable mortgages. I am pleased that this bill will bring this additional bonding authority to fruition. I am confident that the Michigan State Housing Development Authority, MSHDA, and other State housing agencies across the Nation will put it to good use. These tax-exempt bonds will help agencies like MSHDA raise the funds needed to refinance homeowners from adjustable rate mortgages into affordable fixed-rate mortgages, as well as provide loans for first-time homebuyers and finance the construction of multi-family residential housing.

This bill has a number of other provisions that will help alleviate the suffering caused by the foreclosure crisis. Arguably the most important provision in this bill is the HOPE for Homeowners program, which will enable the Federal Housing Administration to provide groundbreaking new refinancing options to distressed borrowers. Through this temporary new program, the Federal Housing Administration, FHA, is authorized to insure up to \$300 billion in 30-year, fixed-rate mortgages. I applaud the work of Senator DODD and others of our colleagues in putting this FHA refinancing proposal together. It is based on the successful Home Owner’s Loan Corporation that was implemented by President Franklin Roosevelt during the Great Depression to issue new loans to help homeowners in default.

It is important to note that this new program is not an investor or lender bailout. FHA will only insure loans at 90 percent of the current property value, which in most cases is significantly less than the original loan amount. Investors and lenders who choose to take advantage of this program must, therefore, be willing to take a hit. They will likely be willing to take this loss, however, because it will be less than the losses associated with foreclosure. Also, this is hardly a windfall for distressed borrowers, as some are claiming. Those who sign up for the FHA insured loans will share their new equity and future appreciation with FHA by paying a premium—3 percent initially, 1.5 percent annually thereafter—for the FHA loan. They are also required to give a portion of the

equity from sale proceeds for this home back to FHA. I am pleased to note that this program, which is estimated to help nearly 400,000 homeowners nationwide, will not cost taxpayers money; in fact, it is expected to net \$250 million.

Not only does this bill take significant steps to help keep families in their homes, it provides immediate help toward rehabilitating blighted neighborhoods. The nearly \$4 billion in CDBG-like funding provided through this bill will go to areas of the country with the highest foreclosure rates and number of filings. Michigan stands to receive almost \$170 million through this provision, and the funds could be used to restore an estimated 6,000 properties. Inclusion of these neighborhood stabilization funds will help protect more homeowners from going “underwater,” and I urge Members in the House to support keeping this provision in the final bill.

Our economic crisis is exacerbated further by the fact that we are a nation at war. Our brave and dedicated soldiers should not have to return to U.S. soil to find that, facing foreclosure action, they no longer have a home. I am pleased that this bill will delay foreclosure action for returning soldiers and also provide them 1 year of relief from increases in mortgage rates. The bill also provides additional homeownership opportunities for veterans through increases in the VA loan guarantee amount. There is also funding for home modifications for veterans with service-related disabilities.

In addition to the provisions in this bill that help alleviate the suffering of the many families in dire straits, this legislation will help stimulate the slumping housing market and help to ease the broader economic slowdown.

One key provision of this bill is a 1-year, \$8,000 tax credit available for first-time homebuyers. The homebuyer would repay the money over time, similar to an interest-free loan. I have heard from realtors, prospective buyers, home builders and many others who believe this would help reduce the existing stock of vacant housing.

The availability of quality, affordable housing is critical to the economic health of America. This legislation would help create additional affordable rental housing and increased homeownership opportunities for low-income families by creating a new Housing Trust Fund and a Capital Magnet Fund. These funds, which would be provided as grants to States, would greatly help those who need it most because the funds are required to be used primarily for the benefit of low-income families. The bill also provides incentives to spur development of affordable housing property by the private sector through increases to current programs such as the Low Income Housing Tax Credit.

It is not enough to simply alleviate the Nation’s present suffering and get us back on track for the time being. Congress has a responsibility to do

what it can to ensure that a housing crisis of this sort does not happen again. To that end, this bill contains a number of provisions aimed at helping homeowners avoid foreclosure and reforming major Federal players in the housing market: the Federal Housing Administration and the housing government-sponsored enterprises, including Fannie Mae and Freddie Mac.

As I observed during the roundtable discussions I hosted in Michigan, many counselors are doing good work on the ground to try and help families avoid foreclosure. However, foreclosure prevention counselors are overwhelmed, and a lack of funds is tying the hands of local groups trying to help keep families on track. This bill would provide \$150 million for pre-foreclosure counseling and \$30 million for legal services to help keep people in their homes.

This bill also establishes a new, independent regulator for the housing Government Sponsored Enterprises, GSEs, Fannie Mae and Freddie Mac. Through capital standards, audits and other internal controls, this regulator will oversee the safety and soundness of these financial giants who play such a key role in our housing markets.

I am pleased that this bill also incorporates long-awaited legislation to modernize and expand the Federal Housing Administration. These reforms will help provide access to homeownership to families in higher cost areas who have not been able to take advantage of the FHA program in the past, by raising the FHA loan limit. It will also provide counseling for first-time homebuyers as well as homeowners who are having trouble making their mortgage payments through FHA, and improve the FHA loss mitigation process to help struggling homeowners stay in their homes.

Finally, many blame predatory lending practices, at least in part, for the excessive number of irresponsible loans made to subprime borrowers. In response, this bill amends the Truth in Lending Act, TILA, to, among other things, require that borrowers be informed of the maximum monthly payments possible under their loan, and ensure full disclosures are provided no later than 7 days before closing so borrowers can shop for another loan if they are dissatisfied with the terms. In order to discourage unscrupulous behavior, statutory damages for TILA violations have been increased 10-fold, from current rates of \$200 and \$400 to \$2,000 and \$4,000, respectively.

I support this comprehensive housing legislation, and am confident that, once enacted, it will provide much-needed relief to many struggling homeowners in Michigan and across the country. Addressing the foreclosure crisis will require a team effort among Federal, State, and local governments, community and neighborhood organizations, and lenders, brokers, and borrowers. This bill recognizes that fact. It provides an opportunity to help keep struggling families in their homes. It

provides an opportunity to help restore our housing markets by keeping declining property values stable. It will protect neighborhoods from a glut of vacant homes. I will continue to work with my colleagues to get this bill passed, and, if need be, to overcome a Presidential veto. This legislation cannot come too soon.

Mr. DODD. Mr. President, I yield 4 minutes to my friend, the Senator from Alabama.

Mr. SHELBY. Mr. President, we are nearing the end of a long debate in the Senate dealing with what some people call the housing bill, but as we know, it is more than housing. One of the big titles in it deals with the reform of the government-sponsored enterprises—GSEs commonly known as Fannie Mae and Freddie Mac, as well as the Federal Home Loan Bank Board.

We know that we are in a housing crisis in this country. We have a lot more houses than we probably need right now, and we have a lot of people who are going to be facing foreclosure. So, working together with Senator DODD and our staffs, we have tried to come up with a plan to give thousands of people an opportunity for some relief. It is not a Government bailout. It is not taxpayers’ money. It gives them an opportunity—assuming a lender is about to foreclose on someone—to get together with someone else who has borrowed money and say: Look, if you can get this refinanced through the FHA modernization plan, if we can do that and we can cut down on the value of the mortgage—take a haircut, so to speak—this is better than a foreclosure.

Lenders know the worst thing in the world for them is foreclosure. Borrowers know that too, because it is a dangerous game people play. Going back to the Fannie Mae and Freddie Mac situation, we know they play a huge role—a central role—in our housing, but we also know that together they owe a little over \$5 trillion; \$5 trillion in debt, and they are thinly capitalized because they are government-sponsored enterprises. They have the implicit guarantee of the taxpayer—the U.S. Government, basically. I have no reason to believe we would let them go under because there is a lot at stake. The way to keep them from getting in worse financial shape is to create a strong regulator that will monitor them closer than they have been in the past to make sure they have adequate capital.

With Senator DODD’s 28 years and my 22 years on the Banking Committee, we have 50 years. In our combined 50 years on the Banking Committee, we have seen financial debacles. We have seen good times and bad times. What we are trying to do is prevent as many headaches and hardships as we can, not only to homeowners but ultimately to the American people by reforming GSEs. I hope this is a big first step today.

I wish to take a minute to commend my colleague, Senator DODD, chairman

of the Banking Committee. As I enjoyed my 4 years serving as chairman, I also enjoy working with Senator DODD and his staff. I wish to commend his staff as well as my staff, our Republican staff on the Banking Committee, including Bill Duhnke, Mark Oesterle and others, for all the work they have done here, night and day, and it is not over yet.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, first let me thank my colleague from Alabama, Senator SHELBY. He makes it sound like Methuselah this morning referring to those years we have served together in the Senate, combined years of service. I have been a member of the Banking Committee since my first day as a Member of this body in January of 1981. I have served under and with a lot of different people on that committee, going back to Bill Proxmire of Wisconsin, who was the ranking Democrat in those days; Jake Garn, who was the chairman of the Banking Committee in 1981, the Senator from Utah. Over the years, Senator Riegle, Phil Gramm, and Paul Sarbanes, of course, chaired the committee, as well as, of course, Senator SHELBY.

This is an important moment for this body. We have a severe housing crisis in the country. I don't need to keep repeating that. All Members recognize it. When we go home and talk to our constituents, as we did over the last week or so, we see that this problem is not going away. We were hoping that somehow the market would be taking care of all of this and by now we would be seeing that proverbial light at the end of the tunnel, but the only light we see is the light of a train coming. Unless we act promptly, we are looking at a situation that will only get worse.

Our legislation is not the salvation of every problem. I wish to make clear to my colleagues that what Senator SHELBY and I and the other 19 members of our committee have done is to fashion some proposals that we think will make a significant contribution to the issue, maybe the most important one being a sense of optimism and confidence that this Congress of ours, despite the narrow margins that split us as two parties in this body, can actually work together to get something done.

There is a growing fear in the country—in fact, more than growing—that we are incapable of doing much here; that we can't seem to get much done because of the partisan divide. This bill argues strenuously against that conclusion. By a vote of 19 to 2, this committee marked up this piece of legislation.

We have now been on the Senate floor debating this because of the very difficult parliamentary situation we are presented with as a result of what the House of Representatives sent us, so we have spent this much time on this legislation. However, I think we

have a very good product reflected by the votes that have occurred over the last several weeks. I think the lowest vote total on any single proposal that has been either offered or suggested has been something like 77 votes, showing that an overwhelming majority of people are supporting this committee product, and we appreciate that as members of the Banking Committee.

So this action is coming none too soon. Today the RealtyTrac reported that over 250,000 families went into foreclosure in the month of June. That is a 53-percent increase over last year. We all throw these statistics around rather easily in this Chamber, but numbers, while staggering, are faceless and nameless. Behind every one of these numbers, that 250,000, that 53-percent increase, is a mother, is a father, is a family, and children whose lives have been unalterably changed for the worse because they are going to lose their home. They are going to lose their home.

Just imagine, if you will, those who have not been in that situation, what it would be like to wake up this morning and know that you have a foreclosure notice on your home, that you can't meet your obligations and you have to face your children, you have to face your spouse, you have to face your co-workers, and you have to find some other place to live. Mr. President, 250,000 people went through that in the month of June, 1,500,000 over the last year, and we are still here debating this bill and whether we can do anything to make a difference in people's lives.

What is happening today is a tragedy, a significant tragedy for these people, for their neighbors, for their communities, and for our country. The cover story in this week's issue of Business Week is entitled "The Home Price Abyss: Why the Threat of a Free Fall is Growing." I think the article sums up very well the threat we are trying to address with this legislation.

Let me quote from it:

The risk to the financial system and the economy is that the price drop, which is already horrifying, will start feeding on itself.

It goes on to say:

When home values fall low enough, hard-pressed homeowners become less able or less willing to keep paying their mortgages. That forces lenders to repossess homes and then dump them back on the market at fire sale prices, which depresses further the prices in those neighborhoods and leads to even more foreclosures.

When we consider the role home equity has played in supporting consumer spending, we can see that this vicious cycle can create a disaster. We have already had hundreds of thousands of job losses and the like. I think we all recognize we have a responsibility to act.

Today, we have an opportunity to pass the Housing and Economic Recovery Act of 2008, which will help us begin to address this crisis and the larger economic turmoil. I wish to add that we would have liked to have con-

sidered other amendments. Other colleagues had ideas to add to this bill. Because of a handful of Members who don't want any more consideration, we are forced into this situation. A number of amendments had been worked out between Democrats and Republicans, but we cannot even offer those. That is the situation. I regret that because there were some good ideas, frankly, that could have been added to the bill as it leaves here. But that is the situation. Candidly, we cannot wait longer, having gone weeks going through the parliamentary rigmarole on the floor of the Senate.

I will sum up again the legislation we are about to pass and send on to the House. The bill establishes the Hopeful Homeowners Act to assist at least 400,000, maybe 500,000 families to keep their homes and stabilize their neighborhoods. It does so after asking both lenders and borrowers to make financial sacrifices. It does so at absolutely no cost to the taxpayer. It creates a new class of regulation for Fannie Mae and Freddie Mac.

You can look in the Wall Street Journal of this morning if you doubt whether we should act or we can wait longer. The headline is: "U.S. Mulls Future of Fannie, Freddie." If you think we ought to wait longer to try to get something better out of the bill, consider what we may have happen to these GSEs, which are critical to providing stability in the housing market. The world-class regulator, which is something we tried to do over the last 7 years, is finally done in this bill on a bipartisan basis. Recent news makes it clear these entities need a strong regulator to ensure they are viable and healthy institutions.

The bill raises the loan limit from \$417,000 to as high as \$625,000, so the GSEs can play a more active role in stabilizing the housing market. I wish to point out that this loan limit is considerably higher than what was included in the committee-passed bill. Senator SHELBY, to his credit, and I agreed to do this in an effort to accommodate the interest of the other body, the House. And also the people who live in higher cost States, the higher numbers will be important for them to get relief as well from the bill.

Treasury Secretary Paulson said passing this legislation is the most important thing we can do to address the housing crisis. The bill modernizes the FHA program, raising the loan limit from \$362,000 to \$625,000. The FHA proved its value in the current crisis. It continues to be a stable source of mortgage credit, while many other lenders have failed. This bill will make sure FHA is available to even more American families.

To give you some idea of how this affects people, by raising these limits to the \$625,000 level from \$417,000, we will now cover 85 percent of the American population and 98 percent of the counties in America. The other 2 percent are the very high-cost counties. My

State has one of them, and several other States across the country do as well. But 85 percent of the American people are potentially covered by this bill, and 98 percent of the counties will be covered by the numbers we have raised from \$417,000 to \$625,000. When people tell you we are not reaching enough, we have reached about as far as you can reach if you are interested in helping those who may face more serious problems.

The bill includes a permanent affordable housing fund, financed by Fannie Mae and Freddie Mac, that will provide tens of thousands of affordable housing units in the future. Let me say, about this part of the bill, the GSE reform will be long lasting and important. The HOPE for Homeowners Act is temporary; it doesn't exist after 3 or 4 years. Maybe the most important thing we will do is the affordable housing issue in this bill. No new tax money required. The money will come out of the GSEs. We know, as a matter of fact, that we have built very few affordable housing units in this country over the last number of years. And particularly those people losing their homes will have a hard time finding rental units. This is a permanent bill on affordable housing, and there is a means to pay for it without adding to the taxpayers' costs. It is one of the most important long-lasting features of the bill. In the long term, that bill will make a huge difference for millions of people.

Seventeen million people today spend half their disposable income on their houses. If you are on SSI, in fact, housing costs exceed the monthly benefits you get today under SSI. For millions of people in this country, that affordable housing provision can be very important in the long term.

The bill includes a new protection for elderly homeowners taking out FHA-insured reverse mortgages so they are not deceived into using the proceeds from the loans to buy expensive and needless insurance products. These are provisions that were incorporated by Senator MCCASKILL, and we thank her for it. There is a new mortgage broker and lender licensing requirement that was added by Senator MARTINEZ and supported by Senator FEINSTEIN from California. That will begin to address many of the abuses of the mortgage process that have been perpetrated by brokers.

In addition, the bill includes improved disclosure requirements that were added by Senator REED of Rhode Island and Senator BOND of Missouri as well. Because of the effort of Senators KERRY, COLEMAN, AKAKA, CORNYN, and SANDERS, the bill expands the availability of VA housing programs. It includes a number of provisions to help returning veterans save their homes from foreclosure and provides new housing benefits to disabled vets as well.

In an amendment adopted on the floor prior to the recess, we added language by Senator KOHL of Wisconsin to

create protections against foreclosure scams, and we reduced paperwork burdens on certain small public housing authorities, thanks to the amendment by Senator SUNUNU.

This legislation includes \$3.9 billion in emergency community development block grant funds. This is a controversial provision. I know some Members have raised concerns about it. I think all of us recognize that when we talk about a national crisis, with problems of foreclosures having a devastating effect in our States, obviously, resources locally, with property taxes declining for police and fire, and the like, our mayors and county officers are finding themselves further hard-strapped to meet their obligations. We thought an infusion of community development block grant money, targeted specifically to those communities that face high foreclosure rates, would be of benefit to them to help them rehabilitate their communities and the foreclosed homes and get them back on the market. This is still in the bill.

I have been warned by Members of the other body that this provision will have to come out. I know some Members want to strike it. It is going to stay in the bill that is going to the other body. They object to it because they don't have a pay-for in it, and we do here. We call it emergency funding, as we do when we have hurricanes or other natural disasters occurring. This is similar to a natural disaster. If you are one of those 250,000 families who, in the month of June, lost their homes—whether by flood or by hurricane, believe me, it is a disaster. They lost it because they got lured into deals they could not afford or because there was a scam or deceptive practices going on. Don't try to tell that family they have not faced a disaster. It is not a natural one, but nonetheless it is a disaster. The idea that we cannot provide additional funding to mayors and county executives to help out communities is something I am troubled by. It may come out of the bill when it comes back. I urge them to look hard at this and try to find a funding source.

I ask unanimous consent for an additional 5 or 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Mr. President, I am going to object, and I will explain why. We have a committee hearing we are working through this vote, and so I do object.

The ACTING PRESIDENT pro tempore. The Senator has 2 minutes remaining.

Mr. DODD. I will yield that time to my colleague from New Jersey.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I thank the Senator from Connecticut for his leadership. I rise to express my disappointment that it appears that the managers' package is being blocked by one or two of my friends on the

other side of the aisle. This package includes, among other important provisions, my amendment, offered by family and children organizations across the country, to help children who are the silent victims of the housing crisis.

My amendment authorizes \$30 million in additional funding into the existing McKinney-Vento Homeless Education Program to support children directly impacted by foreclosures. There are about 2 million children in this country, including 50,000 in New Jersey and over half a million Latino children nationwide, who will be directly impacted by the foreclosure crisis, placing them at risk of poor school performance, behavior problems, and other challenges as well.

While we provide lower interest rates supporting the homebuilding industry and reform mortgage lending practices, several children's organizations and educational organizations have asked for this amendment as a modest way that our Nation can support the nearly 2 million children who are suffering the consequences of decisions made completely outside their control.

The foreclosure crisis is damaging our economy. Let us not forget that the children who have no say, no ability to make a difference in their lives, are the real victims of this crisis and, even worse, they are the silent victims. It is not fair these children get lost in the paperwork or in the politics of one Member, and they deserve our full support.

This amendment was being cosponsored by several colleagues. We worked with Senator ENZI, who had original jurisdiction, along with Senator KENNEDY, to get the language right. We appreciate Senator SHELBY having it in the managers' package. If that cannot move forward, these children will be left unprotected. That is a disgrace.

The ACTING PRESIDENT pro tempore. All time has expired.

The clerk will report the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to disagree to the amendments of the House, adding a new title and inserting a new section, to the amendment of the Senate to H.R. 3221, the Foreclosure Prevention Act.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to disagree to the amendments of the House, adding a new title and inserting a new section to the amendment of the Senate to H.R. 3221, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts

(Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. WEBB). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 84, nays 12, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—84

Akaka	Durbin	Murkowski
Alexander	Feingold	Murray
Allard	Feinstein	Nelson (FL)
Baucus	Graham	Nelson (NE)
Bayh	Grassley	Pryor
Bennett	Gregg	Reed
Biden	Hagel	Reid
Bingaman	Harkin	Roberts
Boxer	Hatch	Rockefeller
Brown	Hutchison	Salazar
Brownback	Inouye	Sanders
Burr	Isakson	Schumer
Byrd	Johnson	Sessions
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Smith
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Chambliss	Lautenberg	Stabenow
Cochran	Leahy	Stevens
Coleman	Levin	Sununu
Collins	Lieberman	Tester
Conrad	Lincoln	Thune
Corker	Lugar	Voivovich
Craig	Martinez	Warner
Dodd	McCaskill	Webb
Dole	McConnell	Whitehouse
Domenici	Menendez	Wicker
Dorgan	Mikulski	Wyden

NAYS—12

Barrasso	Cornyn	Enzi
Bond	Crapo	Inhofe
Bunning	DeMint	Kyl
Coburn	Ensign	Vitter

NOT VOTING—4

Clinton	McCain
Kennedy	Obama

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 12. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked on the motion to disagree to the two remaining House amendments, the motion offered by the majority leader to concur with an amendment to the first such House amendment falls.

ORDER OF PROCEDURE

Mr. REID. Mr. President, under an order entered yesterday with respect to Executive Calendar Nos. 665 and 666, I now ask unanimous consent that upon conclusion of the cloture vote with respect to the House message to accompany H.R. 3221, regardless of the outcome, the Senate proceed to executive session to consider the nominations as provided for under the conditions and limitations of the previous order; further, that upon conclusion of the debate or yielding back of time on the nominations, the nominations be set aside until 2 p.m. today, at which time the Senate then proceed to vote on confirmation, as specified in the previous order.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. REID. Mr. President, for the information of all Senators, I have been advised by Senators DODD and SHELBY that they likely will be able to finish their work on the housing bill today.

We have also pending a cloture vote tomorrow morning on the PEPFAR bill. I have had a conversation with the Republican assistant leader and we kind of know where we are on this issue. We could, with consent, move that vote up today or do it in the morning. Whatever, we on this side would be satisfied to do it today.

I have had a conversation with Senator BIDEN, who has helped a great deal on this piece of legislation, and he said he was going to confer with Senator LUGAR to see if the last kinks can be worked out. Frankly, that is doubtful. So we can either have that cloture vote in the morning or this afternoon, and we await the word of the minority as to what they wish to do on that issue.

EXECUTIVE SESSION

NOMINATIONS OF GENERAL DAVID H. PETRAEUS AND LIEUTENANT GENERAL RAYMOND T. ODIERNO TO BE GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Gen. David H. Petraeus and Lt. Gen. Raymond T. Odierno, Department of the Army, to be general.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan.

Mr. LEVIN. Mr. President, we have these two nominations before us. I understand the vote on the two nominations will take place at 2 p.m. or thereabouts.

The Senate Armed Services Committee unanimously approved the nomination of General Petraeus for reappointment to the grade of general and to be commander of the U.S. Central Command, and also the nomination of LTG Raymond Odierno for appointment to the grade of general to be commander of the Multinational Force Iraq. The confirmation of these nominations will provide a continuity of senior military leadership for the region and for Operation Iraqi Freedom. This continuity in U.S. military leadership will be helpful in working with regional and Iraqi political and military leaders.

General Petraeus brings a large amount of experience and leadership to the position of CENTCOM commander. He has served over 30 years in the military, including 3 tours of duty in Iraq, first as commander of the 101st Airborne Division, then as commander of the Multinational Security Transition Command Iraq, and since February of 2007, as commander of the Multi-

national Force Iraq. As the Multinational Force Iraq commander, General Petraeus has led a shift in tactics in Iraq, helping to calm, hopefully permanently, very violent sectarian conflict.

If confirmed as CENTCOM commander, General Petraeus would continue to oversee the U.S. troops in Iraq, drawing on his knowledge of the situation on the ground and his working relationships with Iraqi political and military leaders. He would also be responsible for addressing an increasingly violent insurgency in Afghanistan and other important national security interests throughout the CENTCOM region.

General Odierno is well qualified for his new duties, with 32 years of uniformed service, including 2 tours in Iraq, first as commander of the 4th Infantry Division, and until recently as commander, Multinational Corps Iraq, in which he worked directly under the command of General Petraeus. He has assisted the change in operational approach in Iraq toward counterinsurgency. He understands that Iraqis must achieve political reconciliation to unite their country and to provide more effective governance for Iraq. He understands the importance of and is committed to increasing the Iraqi security forces technical capability, professionalism, evenhandedness, and full integration so they can eventually assume total and effective responsibility for their own nation's stability. He understands the recent gains in reducing violence, controlling militias, and rejection of al-Qaida must be supported and expanded by an Iraqi Government which grows more capable and is more attuned to meeting the needs of the Iraqi people. And most importantly, General Odierno understands the necessity for Iraqi political leaders to take responsibility for their own country—to take responsibility politically, economically, and militarily.

So our country, I believe, is indebted to the service of General Petraeus and General Odierno for their willingness to continue that service, and we are also indebted to their families for the sacrifices those families endure when their two loved ones spend so much time in such difficult areas.

I urge my colleagues to support these two nominations.

The PRESIDING OFFICER. The senior Senator from Virginia.

Mr. WARNER. Mr. President, I wish to inform the chairman that I shall speak myself, and Senators SESSIONS, CHAMBLISS, and GRAHAM also hope to be recognized. I have inquired at the desk, and there is some flexibility in our time here this morning, and we will go from one side to the other if Senator LEVIN has colleagues who are going to speak.

Mr. LEVIN. Mr. President, on that point, what is the time situation?

The PRESIDING OFFICER. Under the order, there is 20 minutes equally divided.