

families, if given a reasonable opportunity, could stay in their homes, they have said: No, we don't want to put our hands on that; we have to let the market work its will. Well, we didn't let the market work its will with Bear Stearns. We came to their rescue. We didn't let the market work its will with Fannie Mae and Freddie Mac. We rescued them. We certainly didn't let the market work its will with AIG. We decided that for the good of our economy we had to step in. I believe those were reasonable efforts to stabilize our economy, but helping the families facing foreclosure is also reasonable. Now that our Government is taking over Fannie Mae and Freddie Mac, I think it ought to step in with a new policy when it comes to renegotiating the mortgages of people who are facing foreclosure.

I have had a proposal before the Senate, which was rejected on a largely partisan basis, which basically said that if you go into bankruptcy in foreclosure, the court will have a chance to rewrite the terms of your mortgage to keep you in your home. It is done now for investment property, vacation property, farms and ranches. But it does not apply to your primary residence, and that makes no sense whatsoever. I think the court ought to step back and say this family can make the payments they have made for the last 5 years and ought to be allowed to stay in their home as a result of it rather than foreclose the property. If the property is foreclosed, there are losers in every direction. First, the families are on the street; second, the financial institution; and then the neighborhoods and the community around them will see their property values go down because of the foreclosure.

If we want to staunch the bleeding going on at the base of our economy, it should start with those who are facing foreclosure. If we are coming to the rescue of major institutions, why do we turn our backs on the families facing foreclosure?

One of our colleagues in the meeting yesterday said we have to let the market find the bottom when it comes to foreclosure. We didn't let that happen with respect to giants. We shouldn't let it happen to families who deserve a second chance.

I yield the floor.

Mr. CORNYN. Mr. President, I ask unanimous consent that 20 minutes out of the allotted 30 minutes on this side be allotted to me and the remaining 10 minutes allotted to the Senator from Louisiana, Mr. VITTER.

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

DISASTER RELIEF

Mr. CORNYN. Mr. President, yesterday I had the chance, once again, to tour the devastated area in my State of Texas caused by Hurricane Ike, this time with the President of the United

States and the Secretary of Health and Human Services, Secretary Mike Levitt, along with David Paulson, the Administrator of the Federal Emergency Management Agency. It had been 2 days before that, on Sunday, that I had done the same thing in southeast Texas, in the Beaumont area, talking to the mayors and county judges in that afflicted part of the State, as well as having been to Galveston. Those two places, particularly Orange County and Galveston County, in the southeast part of our State, took the brunt of Hurricane Ike.

There are a lot of people hurting now in Texas. We have roughly 2 million people without power. Many people have left their homes under evacuation orders and do not know what the condition of their home is and certainly are dying to get back so they can assess where they are—whether they have been wiped out or whether there is something they will be able to rebuild, whether this is something from which they can recover.

At the same time, we know there are people who are in evacuation shelters set up by the Red Cross with FEMA's help, and others, where they are getting the necessities of life—food, water, and shelter. But these are the very same people who are eager to get back to their homes to see whether their houses are still standing, to see whether they can rebuild, as I say, or whether they are going to have to start from scratch.

The emergency response by the State of Texas, primarily the Governor and his team, as well as the leaders at the local level—county judges and the mayors—was about as good as I can imagine it could have been. Unfortunately, because of Hurricane Gustav, when it did not turn out to be as severe as many thought, and millions, literally, had evacuated, I don't think many people believed Ike was going to turn out to be as bad as it turned out to be. So many people hunkered down in place and did not take the advice of the local and State leadership to evacuate. Unfortunately, now they find themselves—roughly 2 million people—without power.

Yesterday, Mayor Thomas, in Galveston, pointed out that the toilets have not flushed since last Friday in Galveston. That not only presents an inconvenience and hardship, but it is also a public health hazard. We have many people who, yesterday, decided to give people a chance to look and leave. In other words, if they were worried about their home, give them a chance to come back on Galveston Island, check it out, and then leave because the air-conditioning, the refrigeration, the basic services provided by power were not available.

Unfortunately, if you saw, as I did, the entry and exit into Galveston Island, it was jammed with people wanting to come back under that look-and-leave policy. But the mayor decided, and I think wisely so, to suspend that because of the logjam.

In the worst of disasters, usually you find the greatest examples of the human spirit, neighbors helping neighbors. Faith-based organizations, for no other cause than serving their very basic mission, are out there making sure people are fed, making sure they are sheltered, doing everything they can to help people rebuild their lives.

We were fortunate in one sense that the storm was not as bad as originally predicted. At one point, there was an estimate that 125,000 homes would be lost; that the surge would reach up to 25 feet; that is, the water being pushed ahead of the storm would actually come all the way up the Houston Ship Channel and cause massive destruction and flooding and possibly loss of human life. While too many people did, in fact, lose their lives, fortunately it was not as bad as it could have been. Texans remember and history reminds us it was just 1900 when Galveston was hit by another hurricane where anywhere between 6,000 and 8,000 people died. Fortunately, the numbers were in the single digits in Texas. That is because of not only the preparation but because of modern building codes which created stronger houses for people who did decide to hunker down, and also because of the search-and-rescue operation conducted by the State and Federal authorities working together to try to get people out who had been trapped, literally, without electricity, without power, without gasoline. We were able to get many people out to safety in the shelters.

I think it is important for the people of this country to know that no matter who you are or where you live, we do have the systems in place both at the local and State level but also the Federal level to be of assistance to you if you need help. Of course, as I mentioned, many people are trapped, really, where they are. Maybe they went to a hotel. Maybe they went to a friend or relative's house.

Yesterday, the President announced the Federal Emergency Management Agency, the Federal Emergency Response Agency, had authorized people to basically stay in the hotel or motel, if that is where they are located, for up to 30 days while the power gets restored and while cleanup is ongoing and maybe downed power lines are removed. That ought to give people some relief, that they are not going to have to look for money they do not have just to be able to pay the bill to stay in place if they are in a hotel or motel for the next 30 days, if they come from the affected counties.

Because of the major disaster declaration that occurred, both public assistance in terms of helping to rebuild the affected areas in the State and also personal assistance is available through FEMA. We tried to announce the first step to the public yesterday. But, obviously, people do not have Internet access when their power is down. They do not have televisions to watch the announcements or maybe

even radios to be able to know what to do. But it is important for the public to know, and I think not just in the affected regions, that they need to register with FEMA, the Federal Emergency Management Agency, for personal assistance. That is the first step to getting back to their houses, making sure any damages are appropriately assessed, and making sure the affected people get the help they are entitled to under the law.

I would add, in addition to the Federal Emergency Management Agency's Web site and their 1-800 number, if my constituents will call any one of my offices, either here in Washington, DC, which we kept open 24-7 during the storm, and also any of my regional offices in Tyler, Dallas, Houston, San Antonio, Harlingen, Lubbock, or Austin, we will reach them and get them the help they need and to which they are entitled.

I have heard some rumors from the other side of the Capitol that Speaker PELOSI was talking about moving a stimulus package, a huge additional spending package of roughly \$50 billion, and there were going to be some provisions in it for disaster recovery and wild fires and other things.

I would welcome that with this caution: that we not allow politics and the opportunity to use this as a sort of Christmas tree for a bunch of bloated spending that is not necessary to restore people to their homes and to repair the damaged infrastructure; that this not be used as an occasion for politics. To me, the most cynical thing possibly that could happen in Congress is we look past the people in immediate need, and we look for political opportunities to perhaps spend the taxpayers' money on programs that would not otherwise pass because they are somehow bundled up with emergency spending for storm relief.

There is one other thing I learned in this disaster that I think is very important as we look at dealing with our energy crisis generally, with the high price of gasoline, and high price of oil, which, perhaps, is the No. 1 economic concern of the American people today. The gulf coast is indeed a laboratory of energy that supplies the daily needs of our country. When a big hurricane comes in, like this one did, of the 25 refineries—these are the places that actually make gasoline out of oil—representing more than one-quarter of the Nation's refining capacity, 17 of the 25 had to be taken offline because of the storm. In addition, nine different oil pipelines—these are the major oil pipelines that transmit oil from the gulf to various parts of the country—also had to be shut down because of Hurricane Ike. That is going to have an impact on America's oil and gas supply.

Hopefully, the first indications are going to prove to be true, and there were no major environmental spills or problems associated with this hurricane. To me, it was just another reminder of how much Congress needs to

remember that we cannot put all of the Nation's energy—or at least 25 percent of it—in one place. It is literally like putting all of our eggs in one basket. As the saying goes, if you put all your eggs in one basket, you better take care of that basket.

The fact is, as we look forward to hopefully removing the moratorium on Outer Continental Shelf drilling and exploration and production of oil and building of refineries at home so we have to depend less on imported energy from the Middle East, that we will remember the lessons of Hurricane Ike and Hurricane Gustav and Hurricane Katrina and Hurricane Rita.

Frankly, I think putting so much of our Nation's energy capacity in an area that is from time to time going to be affected by these natural disasters is something we ought to take note of and do something about. By producing the ability, or at least allowing the ability, for more exploration and development and building of pipelines, building of refineries in other parts of the country and, producing more at home, we, as we use less by conservation measures, can produce more American energy so we are less reliant on imported oil from the Middle East.

There have been a lot of interesting proposals being made. I want to caution my colleagues against some of the proposals that claim to do more about drilling but which in fact create further obstacles to further American oil exploration and drilling. As a matter of fact, one of the initial proposals we saw—I know this was in good faith. I am not questioning the good faith of the proponents. But the effect of it would actually be to raise taxes and diminish domestic oil production and actually limit energy exploration.

It is true, we would go from 85 to roughly 70 percent of the Outer Continental Shelf that would be available for drilling under this proposal, but what we would in effect be doing is putting a 60-vote barrier on going into that other 70 percent in the future. I do not know why, if we are willing to acknowledge the fact that modern drilling technology will allow for the exploration and production of oil in one place, such as the Outer Continental Shelf, why we would restrict it in other places on the Outer Continental Shelf, or developing the oil shale out West or perhaps even in the Arctic National Wildlife Refuge—in a 2,000-acre piece of frozen tundra in the middle of a 19 million-acre wildlife refuge—something that can be developed, I believe, in an environmentally responsible way.

Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 6 minutes remaining.

DEFENSE AUTHORIZATION

Mr. CORNYN. I thank the Chair.

I want to move to another topic and say I am pleased that an amendment

which I have offered that will protect military voting rights has been apparently accepted as a part of the managers' package on the Defense authorization bill.

This is a provision which I offered last week and we had been unsuccessful getting a vote on that. But I am pleased that through negotiations in a bipartisan effort between the bill managers, Senator LEVIN, chairman of the Armed Services Committee, and Senator WARNER, the former chairman, who is the minority bill manager, that has been accepted as part of the managers' package.

The fact is, according to statistics compiled by the U.S. Election Assistance Commission, only 992,000 of the 6 million eligible military and overseas voters were able to request an absentee ballot for the 2006 election, and only 330,000 of those ballots were filled out and actually reached election officials.

That means, in other words, that only 5.5 percent of eligible military and overseas voters were able to fill out a ballot and mail it in and have it counted. To me that is a scandalous statistic, one I am glad that this body, in a bipartisan fashion, is going to respond to and say "no more."

We are going to deal with this issue in a way that makes sure that the ballot of those who are fighting, deployed in very dangerous places, is going to count as much as our ballots here in the continental United States.

CONSTITUTION DAY 2008

Mr. CORNYN. I have some remarks, this being Constitution Day, that I want to make in closing. It was 221 years ago today when the delegates of the Constitutional Convention in Philadelphia completed their work; 39 of them signed it and gave us the very Government we have come to know, we have come to love, and, sometimes, there are those who say they have come to loathe it.

But today, we celebrate the very fact that we live in a country where people have the freedom of speech, that we have our political rights to petition Government, where Government's power is acknowledged to come from the governed, "we the People" as Lincoln said, "Government of the people, by the people and for the people." It is not the decision of a small group of people here in Washington, DC that somehow has to be fed to us like castor oil and we have to take it. This literally is a government of the people representing all 300 million of us who live in this country that was created that day by that Constitution.

Mr. President, it was on this day, September 17, 1787, that the delegates to the Constitutional Convention in Philadelphia completed their work. Thirty-nine of them signed the U.S. Constitution, setting up the government system that we have come to know, love, and sometimes loathe.

As Senators, we have sworn an oath to protect and defend the Constitution