

what do you think the U.S. Government is going to say? You can absolutely expect that the President or the Congress will say: My God, we can't allow Bank of America to fail. Because if they fail, it will impact the entire national economy, the entire world economy. The taxpayers of this country are going to have to bail out Bank of America.

My suggestion is before we allow ourselves to be in that position, maybe we make certain the Bank of America never is allowed to have that kind of power.

In my view, we should not be making Bank of America bigger; we should be breaking it up. We should start that process today and we should be breaking up other large financial institutions that are "too big to fail."

Finally, in terms of dealing with this unfolding disaster, we need to make certain that working Americans, the middle class of this country, are not asked to foot the bill for the current economic crisis that was brought to us by these large multinationals. If the economic calamity requires a Federal bailout, it should be paid for by those people who actually benefited from the reckless behavior of people empowered by the extreme economic views of Senator Gramm, President Bush, and Senator McCain.

Right now, today, the wealthiest one-tenth of 1 percent earns more income than the bottom 50 percent. That gap between the very rich and everybody else is growing wider. We have the dubious distinction of having by far the most unequal distribution of income in the world, and on top of that the richest 1 percent owns more wealth than the bottom 90 percent.

The wealthiest 400 Americans—this is a startling figure that for obvious reasons people don't talk about too much, but this is amazing. The wealthiest 400 Americans in this country have not only seen their incomes double, but their net worth has increased by \$670 billion since President Bush has been in office. Four hundred families have seen their net worth double and increase by \$670 billion since President Bush has been in office.

Amazingly, the wealthiest 400 families in our country are now worth over \$1.5 trillion—400 families. On average they earn over \$214 million a year. As a result of President Bush's policies and the policies of our Republican colleague, the tax rate for these families has been cut almost in half, to 18 percent.

Amazingly—and this is a clearly a national disgrace—the wealthiest 400 families pay a much lower tax rate than most police officers do, than nurses do, than teachers do, than firefighters do.

Now, what does this say about us as a nation or about our politics, or the power of the wealthy over Government, when the middle class is paying a greater percentage of their income, a middle class which is in decline, a mid-

dle class where millions of workers have seen a reduction in their wages, and yet they are paying a higher percentage of their income in taxes than the very richest people in America?

It is this very small segment of our population which has made out like bandits, frankly, during the Bush administration. In my view, we need an emergency tax on those at the very top to pay for any losses the Federal Government suffers as a result of efforts to shore up the economy.

In other words, before we ask the middle class to pay more in taxes, before we ask working families to pay more in taxes, it is obvious to me that it is simply fair and right to go to those groups, that group of people who have benefited most out of Bush's policies, who have seen their incomes and their wealth soar. Let's ask them to help us bail out the economy rather than the working families who had nothing, nothing to do with this crisis, and, in fact, who have suffered under the 8 years of President Bush.

Before I finish, I wish to step back for a moment and examine this current crisis in the context of who our Government represents. What does it say about an administration that is prepared to put \$85 billion at risk to bail out AIG but which has fought tooth and nail against programs that benefit working families all over this country? In my State of Vermont, people are worried about going cold this winter. And yet President Bush wanted to make hundreds of millions of dollars in cutbacks for the LIHEAP program that keeps people warm because we did not have enough money to do it.

We have enough money to provide hundreds of billions of tax breaks for the top 1 percent, we have enough money to spend \$10 billion every month in Iraq, we have enough money to bail out AIG and Bear Stearns, but somehow we do not have enough money to keep people warm, to make sure that young people can go to college, to make sure that working people have affordable housing?

Since George W. Bush has been in office, nearly 6 million Americans have slipped out of the middle class and into poverty; over 7 million Americans have lost their health insurance; more than 4 million Americans have lost their pensions; over 3 million good-paying manufacturing jobs have been lost; total consumer debt has more than doubled; the median income for working-age Americans has gone down by over \$2,000, after adjusting for inflation.

The interesting question to ask is, in the midst of that crisis facing tens of millions of working families, where has President Bush been? Where has his voice been in saying we have got to bail out working families who are seeing the decline in their standard of living and are falling into poverty? We have got to protect old people who are going to go cold this winter. We have to make sure that everyone in our

country is able to get a decent education and can afford college. We have got to make sure that all Americans have health insurance. I have not heard the President say we need to bail out the middle class or working families, but he surely has been there to bail out large multinational corporations.

The American people deserve better. We need to reject the failed economic policies and priorities of President Bush and JOHN MCCAIN. We need a government that is not going to allow the wealthiest people and the largest corporations to loot our economy. We need a government that will put regulatory firewalls back in the financial sector and end the use of unregulated credit swaps. We need a government that is going to prevent speculators from stealing from them at the gas pump. We need a government that breaks up corporations that are too big to fail. We need a government that is going to view the problems of ordinary Americans as almost as important as they view the needs of large multinational corporations.

In other words, we need a government that represents the people of this country rather than just the wealthy and large multinationals.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Kansas is recognized.

THOMAS VANDER WOUDE

Mr. BROWNBACK. Madam President, we also, I think, need a government that will stand up for the weakest and most vulnerable amongst us as well.

I have got a real story of human heroism that I wanted to share with the body, and then I am hopeful we can agree to a piece of legislation that Senator KENNEDY and I have done that has been rolled into this bigger package that has drawn a lot of difficulty.

But this is a piece Senator KENNEDY and I have worked on for a couple of years now. There is no reason for this to be blocked. So I am hopeful we can then move to it and pass it through this body, move it on forward.

I have got a picture of a gentleman. I want to show you a wonderful man. This is Thomas Vander Woude. This is an incredible story here in the suburbs around Washington, DC. On September 8, Thomas Vander Woude returned from mass that he had gone to in Gainesville, VA. He attended mass regularly and was working in his yard with his youngest son, who is 20 years old, Joseph. He is known by the family as Josie. Josie is a Downs syndrome adult. He fell through a 2 foot by 2 foot piece of metal that covered an opening to a septic tank, Josie did. His dad Thomas immediately rushed to his aid. According to an account in the Washington Post, when he saw that Joseph could not keep his head above the muck, Vander Woude, who was 66, jumped in the tank, "submerged himself in sewage so he could push his son up from below and keep his head above the muck."

Tom Vander Woude saved his son, but he drowned in the process. As it is stated so eloquently: There is no greater love than to lay down your life for another. And Tom Vander Woude laid down his life for his 20-year-old Downs syndrome son. This is a beautiful story that has taken place of the dedication of a father for his son, an act of heroism, but in his quiet life of dedication to his son, to his wife Mary Ellen of 43 years, to his six sons, 24 grandchildren, and to his country.

Tom served his Nation as a pilot in Vietnam, and after the war worked as a commercial airline pilot. Around the community of Gainesville, though, he was known as a generous neighbor, a volunteer at church, a basketball and soccer coach for the high school in Manassas that five of his sons attended.

He was also a farmer, something dear to my heart, I know to the Chair, the Presiding Officer as well. Most of all, he was known as Josie's devoted dad. Wherever you found Tom—at a game, at church, helping a neighbor—there was Josie, lending a hand.

Tom Vander Woude knew the value of his son's life. He considered it so precious that he gave his own to save it. He never considered the special care and attention that Joseph required because of his Downs syndrome, he never considered that a burden to the family. On the contrary, "he always considered Joseph a wonderful blessing to the family," a special gift from God who brings out the best in his family and the lives of all of those he touches.

This is true of so many families who have children with difficulties. They find that through all of the difficulty and trial of caring for and providing for their child who has a mental disability, these special individuals are ambassadors of love and of understanding, filled with an openness and unconditional affection that acts as a humanizing force of compassion in their families and in their communities.

But we have to be open to this kind of gift and to the potential of every human life to make our world a better place. Now that I reflect on Tom Vander Woude and the value he placed on the life of his son, I also thought of Sarah Palin and what she said about her son, Trig, born in April. When the Governor and her husband Todd were told last year that the child she was expecting in May would be born with Downs syndrome, they knew that ending that pregnancy was never an option for them. After all, why would it be? "We understand," she was quoted as saying at the time, "that every innocent life has wonderful potential."

The problem is that between 80 and 90 percent of the children diagnosed with Downs syndrome in the United States will not make it to the world, simply because they have a positive genetic test in prenatal screening, tests which can be wrong, by the way. I have had a number of people come up to me and say they had a positive Downs syn-

drome designation and the child was born and the child did not have Downs syndrome.

America is poorer because of this. To deny children with disabilities a chance at life will make us more insensitive, callous, and jaded, and will take away from the diversity of American life. I do not think this is what we were meant to do.

So Senator KENNEDY and I, for about 2 years now, have been working on a bill. What we are trying to do with this bill is to see that more Downs syndrome children make it here and get here. It is a pretty simple bill that establishes a registry of people who are willing to adopt Downs syndrome children. So that if someone gets that diagnosis and they say, I cannot handle it, fine. The answer is not to kill the child, the answer is to put the child up for adoption. We have got people willing to adopt it, and also to put forward information to people about the current condition of a Downs syndrome child and what all is available, because a lot is available for this child.

So we worked a long time, got the spending lined up—we are in good shape on that—and we are ready to move forward with this so we can get more of these special kids here.

What I was hoping we can do, and we had it almost passed through, and then this got caught up in the clutter of things, was that we could get this bill hot-lined—Senator KENNEDY's sister is a big proponent of this, has done great work with the Special Olympics—that we could do this. It got caught up in this overall package. Nobody objects to this bill. What I would like to see us do is let us take the pieces of this overall omnibus that we can agree to and let's do them. So then we have got some progress that is being shown.

UNANIMOUS-CONSENT REQUEST—S. 1810

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 701, S. 1810, the Prenatally and Postnatally Diagnosed Conditions Awareness Act. The lead sponsors are Senator KENNEDY and myself.

I ask unanimous consent that the amendment at the desk be agreed to, the committee-reported amendment, as amended, be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that we can get more of these special children here.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. On behalf of the leadership, I object. This bill, as I understand it, is part of a number of bills that are noncontroversial and are going to be included together.

UNANIMOUS-CONSENT REQUEST—S. 3297

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 784, S. 3297; the bill be read a third time and passed; and the motion to re-

consider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BROWNBACK. I object.

Madam President, I would say, let's take pieces of that overall big bill that we can agree to.

UNANIMOUS-CONSENT REQUEST—S. 1810 AND OTHERS

I ask unanimous consent that we agree to consider S. 1810 which I cited, and then the PROTECT Our Children Act, and the Effective Child Pornography Prosecution Act—they have all been considered and cleared on both sides—and we move to the immediate consideration of those.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. On behalf of the leadership, I object. I understand that is contained within a group of other noncontroversial bills.

Mr. BROWNBACK. Madam President, I hope we could move forward with this. It would show that we can get something done in the body. There is no objection. We have worked on this for multiple years. We have got the funding worked out. This is a time in the country where people have heightened awareness of the genetic discrimination that takes place in utero. We have passed bills here that said you cannot discriminate against an individual for their genetic type once they are born, but in utero they are killed. That surely is not something that people want or defend or think is right.

This is not even a limitation on that. It is saying that all we are going to do here is establish a registry and provide current information if you get a Downs syndrome designation. I hope in the interest of this wonderful gentleman Tom Vander Woude we could see this considered. I am sad that we are not doing that in this particular situation.

The day after Trig was born to the Palins, they released the following statement. I thought it was so beautiful, I will read it here:

Trig is beautiful and already adored by us. We know through early testing he would face special challenges. We feel privileged that God would entrust us with this gift and allow us unspeakable joy as he entered our lives. We have faith that every baby is created for good purpose and has potential to make this world a better place. We are truly blessed.

All we are asking is that more people would really have that opportunity to do that or, if they don't feel they can handle it, to put that child up for adoption on a registry that we establish. It would be an important thing for us to be able to move forward with. I am sorry we cannot get that piece done here today.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

MILITARY VOTING PROTECTION ACT

Mr. CORNYN. Mr. President, as the Senate knows, yesterday we voted to pass the Defense authorization bill. However, one of the casualties of yesterday's process—which was unique, to my knowledge; we actually had only two rollcall votes on amendments to the Defense authorization bill, which I don't think has ever happened before, and many important amendments were blocked by the process, amendments that might have been included in the managers' package. I wish to mention just one of those, which is the Military Voting Protection Act.

This was originally offered as a free-standing bill earlier, but then it changed to become an amendment to the Defense authorization bill because we thought it was particularly appropriate, as we were dealing with the needs of the men and women in uniform around the world, that we also respect and enforce their right to cast a vote.

We know from 2006 statistics alone that of all of the eligible civilian and military voters around the world who were eligible and who actually requested an absentee by mail ballot, only 5.5 percent of those votes were actually counted. That is a disgraceful statistic and one we need to do something about.

I compliment Senator LEVIN, Senator FEINSTEIN, and others for working with us during the process of the Defense authorization bill to come together on what I believe was a clear and acceptable amendment to all sides, but because of the bizarre process we found ourselves in yesterday, this bill was basically a casualty of that process, as I say.

So what I am hoping to do is take a bill we worked on that is very important in order to protect one of the most important civil rights of our men and women in uniform—the right to vote—and hopefully, by unanimous consent today, we can pass this bill and get it on its way to the President for signature in due course. I don't see any reason, since we did work together on this on a bipartisan basis and it has been cleared by both sides, there would be any objection.

UNANIMOUS-CONSENT REQUEST— S. 3073

Mr. CORNYN. So let me ask unanimous consent at this time that the Rules Committee be discharged and the Senate proceed to the immediate consideration of S. 3073, the Military Voting Act.

I ask unanimous consent that the amendment at the desk be agreed to—by the way, that is the amendment we worked on with Senator BENNETT, the ranking member, and Senator FEIN-

STEIN, the chairman of the Rules Committee, together with Senator LEVIN and Senator WARNER. I ask unanimous consent that the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. BROWN. Mr. President, I object on behalf of the leadership, as the Rules Committee needs time to look at this and digest this and figure this out to try to work something out. So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CORNYN. Mr. President, I am disappointed that the other side would object. This is the same amendment that was already cleared by the Rules Committee, so I don't understand what the process is that the Senator is referring to. I hope this isn't just another delay tactic. It is something that really cries out for us to address.

I have to say, when I travel back to my State and talk to my constituents, they absolutely believe this Congress is dysfunctional. If we can't find some way to come together on a bipartisan basis to pass noncontroversial voting rights protection for our military such as this, I guess there is not a lot of hope for doing other, perhaps more complicated, more involved things.

This is very straightforward. To have an objection to this bill which has already been worked on and cleared through the process and which was a casualty of the bizarre process by which we adopted the Defense authorization bill, without any right, really, to offer any amendments such as this, is, frankly, beyond me.

In the remaining few days this Congress is in session, I hope whatever concerns the Senator was referring to which have not been made known to me will be addressed. I will come back here every day, if necessary, and offer a similar unanimous consent request. I would ask those on the other side who object to the passage of this bill to offer me some explanation for what the specific concern is. If there is a problem we can eliminate by working with them, we would be glad to do it. But to just stonewall this important amendment to protect one of the most basic civil rights for our men and women in uniform—the right to vote—is, frankly, beyond me.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WEBB). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ENERGY

Mr. BINGAMAN. Mr. President, I want to take a few minutes to express my strong support for the so-called extenders package, which includes the Energy Improvement and Extension Act and will come before the Senate, as I understand it, as early as this afternoon.

Passage of this bill is very important for the country and will have wide-reaching impacts. It will reduce U.S. dependence on foreign oil, curb greenhouse gas emissions, create hundreds of thousands of American jobs, promote R&D in our innovative industries, ease fiscal burdens on rural counties, and reduce the tax burden on middle-class families.

The bill demonstrates the critical role that tax incentives can play in addressing our country's most pressing challenges.

Let me focus today on the very robust package of tax incentives for clean, renewable energy, and energy efficiency. Those are incentives I and many of my colleagues have worked on since the beginning of this Congress. We have already taken eight votes this Congress on various versions of this energy tax package. Unfortunately, as the "green" energy sector has sat by and production has slowed in that sector, and as skyrocketing gas prices have made our dependence on foreign oil more apparent than ever, our energy tax incentives have been hostage to a broader dispute between the parties concerning whether, and how, to offset the costs of extending various tax provisions. I am very pleased that after a number of false starts, we appear, finally, to have reached a compromise.

The compromise will enable us to become a more energy-efficient nation. It will wean us off of our dependence on fossil fuels. It extends the production tax credit by 1 year for wind energy and by 2 years for other qualified renewable sources. I had hoped we could achieve a longer term extension of the production tax credit, but this is all that could be afforded within the package's cost constraints. Undoubtedly, this bill's extension of the production tax credit will enable our renewable industries to stay afloat. Today, I want to state my commitment again to work for a long-term extension of the production tax credit, which is very much needed, which I hope we can achieve in the next Congress.

This package, however, includes long-term extensions for tax credits that make distributed green energy technologies affordable for American businesses and families. The investment tax credit, which gives businesses a 30-percent tax credit for investing in solar, wind, geothermal, and ocean energy equipment, is extended for a full 8 years. So, too, is the residential energy efficiency property credit, which gives families a 30-percent tax credit for the cost of installing solar equipment at