

We want to make sure we give him ample time to be here. He is receiving some of his treatment outside Washington, DC.

I think that pretty well outlines where we are.

We are the Senate. We were last night and we are today. We will work through the legislation as quickly as we can and move on to other things. We have important work to do. We have some nominations we will try to do the first part of the week, but we can do those the latter part of the week. The House passed some bankruptcy legislation. I spoke to the Republican leader about that today. We might go to that. We have the lands bill that might be coming back to us. We have lots to do. We have 4 weeks left in this work period and a lot remaining.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

AMENDMENT PROCESS

Mr. MCCONNELL. Mr. President, let me say that the majority leader and I have spoken on a number of occasions about the importance of the amendment process to all 41 Republican Senators. In fact, all 41 Republican Senators sent the majority leader a letter some time back indicating how important we believed it was. We are proceeding correctly on this bill. I say to my friend the majority leader, we basically have compiled our list of additional amendments. My Members believed strongly that we should have an opportunity to offer those and get votes. We will be able to do that. We will be able to move forward sometime next week. The manner in which he has outlined that we will proceed Monday and Tuesday makes sense, and we will be as cooperative as possible in moving forward with our amendments and getting votes on them.

GRATITUDE TO MANAGERS OF THE OMNIBUS

Mr. REID. Mr. President, one thing I didn't mention, the manager of the bill, Senator INOUYE, is here. Senator COCHRAN has been here steadfastly during the process. They have done a terrific job. Sometimes there are events outside the scope of what the managers are doing, though, that overtake their efforts, and that is what happened here. They are both, as I have said before, two of the best we have in this institution. I personally apologize to Senator INOUYE for not being able to complete the legislation. But he has seen a lot of things in his career, much more than I have.

RESERVATION OF LEADER TIME

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

OMNIBUS APPROPRIATIONS ACT, 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1105, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

Pending:

Ensign amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

AMENDMENT NO. 615

Mr. DURBIN. Mr. President, I rise to speak in reference to an amendment which I believe will be included in the list of amendments by the Republican side. It relates to the DC voucher program. Senator JOHN ENSIGN of Nevada is offering an amendment that will be part of our consideration on Monday or Tuesday relative to the future of the DC voucher program. The DC voucher program was created 5 years ago at a time when the Republicans were in control of the White House and of Congress. What they offered to the District of Columbia was an offer they couldn't refuse, a substantial amount of money—I believe it was \$14 million—for the public schools of the District, another \$14 million for the public charter schools, and about \$14 million to create a DC voucher program. The theory behind the DC voucher program is that they would award this Federal money to families with children in voucher schools, private schools, not public schools. They could use this money to pay for tuition to send their children to these schools.

This is the first of its kind where the Federal Government would directly provide money to parents to send children to private schools. It is an experiment. It was described as such. It was initiated 5 years ago when the Republicans were in control. It came through the Appropriations Committee. Senator Mike DeWine of Ohio was one of its strong proponents.

We considered several amendments in the committee. I came to this with mixed feelings but skepticism, mixed feelings because I am not an opponent of private education. My wife and I sent our three children to Catholic schools. That was our choice. We continued to pay our property taxes to support public schools. I have openly supported public school referenda in my community. I have done everything in my State to make sure there was adequate funding for public schools, but we made a personal family decision, based on a number of circumstances, to send our children to the

local Catholic schools. That was our decision at our expense. I have no prejudice against private education. If I entrusted my children to it, I certainly believe in it.

But the question always came up in my mind: Who should pay for it. We were prepared as a family to pay for it. It was an extra sacrifice we were prepared to bear.

The argument behind DC voucher schools is that some families can't or won't bear that burden of the cost of private education. So they should have direct Federal subsidy. Federal payments to defray or defer any cost of tuition. That was the theory behind it.

My skepticism had a lot to do with the fact that I think our first obligation is to the public school system. The DC public school system is struggling. Credit the new Mayor, Mr. Fenty; he has hired Michelle Rhee, an extraordinarily talented young woman, to be chancellor of DC schools, and she is intent on improving the quality of the public schools. That is something we should invest in, something we should support.

The debate 5 years ago was interesting. I offered three amendments. The first amendment said that any building used as a school under the DC voucher program had to pass the life safety code, had to be inspected as being safe for children to go to school. I guess one could say it goes back to 50 years ago, my memory of the terrible Our Lady of Angels fire at the school in Chicago that killed so many children and nuns in the building and led to changes and stricter enforcement of the life safety code for school structures in Illinois.

My goal in the DC voucher program was to establish at least a comparable standard for the safety of buildings used for DC voucher students as buildings used as public schools. I don't think that is unreasonable. Every parent should have the peace of mind that their child is safe in that building.

I offered the amendment in the Appropriations Committee. It was defeated by those who argued we could not restrict or hamper DC voucher schools. As a consequence, they wanted to defeat my amendment. Incidentally, a GAO study, in November of 2007, on the DC voucher program showed the sites of some of the schools and specifically noted that two of the schools operated without a certificate of occupancy as private day schools—just what I feared.

These are buildings—one looks like a private residence, the other like a commercial building—that do not look like schools at all, and they did not pass the basic standards for health and life safety that we require of schools in the District of Columbia. So my amendment was defeated.

The second amendment I offered said teachers in the DC voucher schools had to have a college degree. Now, that is a basic requirement of any teacher in public schools in DC or most States in

the Union. The amendment was defeated, and the argument was made: No, no, no. DC voucher schools have to be “creative.” We have to open this to people who do not have college degrees to teach.

Well, I am afraid of the mischief that would result from that, but my amendment was defeated.

The third amendment I offered said DC voucher schools had to have the same test administered in terms of student achievement as the DC Public Schools so at the end of the day we could compare performance and output. Are the kids in voucher schools doing better or worse than the kids in DC Public Schools? If they are not doing any better, it challenges the premise of this DC voucher program. My amendment was defeated, rejected. “People in the DC voucher schools should not be restricted to the kind of achievement tests they offer.”

Now, those three amendments, I thought, waved three red flags: the buildings did not have to be as safe as public schools, the teachers do not have to have college degrees, and the schools would not be subjected to the same achievement tests. Now, that does not say to me the people creating the DC voucher program had a lot of confidence in what they were doing. They just wanted to make their point of establishing a DC voucher program.

So 1,700 students now in Washington, DC, have benefited from this voucher program and are at private schools. Some are Catholic schools; some are not. Some are private. There are a wide variety of them. Some, they say, are world-class schools, and others, frankly, are not.

Now, here we are coming up on the fifth anniversary of the passage of this legislation and, in fact, the program was supposed to expire. It was an experimental program. The authorization ended.

Well, I faced that when I wrote this appropriation for this year and said: I will tell you what I will do. I will extend the life of the DC voucher program 1 additional year, and in that additional year, I think we should have two things occur. First, the Committee on Homeland Security and Governmental Affairs, under Senator JOE LIEBERMAN’s chairmanship, should have a hearing and consider reauthorization legislation. What will be the next phase of the DC voucher program? What requirements will we impose on these schools in the next reauthorization? How are they doing? What mistakes were made?

I can tell you, the Government Accountability Office, in their survey back in 2007, found some serious issues in terms of the DC voucher program. The Washington Scholarship Fund, the group that runs the program, was a small operation, until they were given the administration of this program. The Government Accountability Office said they did not believe they were fully prepared to handle a program with millions of dollars.

The GAO also had serious concerns about the accounting and check-writing process. Is it legitimate for us to ask questions about whether taxpayers’ dollars, subsidies to parents for DC vouchers, are being spent appropriately? Well, I hope so. Accountability should be demanded of all of us in all programs. But those who are for the voucher program apparently do not want to go through this kind of investigation. Well, I do not believe that is a right approach.

The GAO said the processes are not integrated for accounting and check writing, and the WSF—at the time in November 2007—had to set up a new system. They had concerns with information security. The Washington Scholarship Fund used temporaries for data entry, had inadequate password security—the list goes on and on. Some of these things are easily corrected. Others go to the heart of the administration of this program.

There were programmatic concerns too. On average, the Government Accountability Office found that students met income requirements, but less than 50 percent came from “in need of improvement schools.” See, the idea was these kids would leave schools that were not good-performing schools and go into voucher schools. Well, it turns out over half the kids were in schools that were doing a good job, at least by the standards of public education. So that raised a question on the program.

They also noted students are clustered in a small number of schools. Mr. President, 16 out of 60 schools enrolled 60 percent of the voucher students. In 7 schools, over 50 percent of the students enrolled received vouchers. So it was a handful of schools that were really the subject of the voucher program.

The Washington Scholarship Fund is supposed to conduct site inspections and look at the financial stability of the school. Based on the information provided to the GAO at the time of this report, it is unclear whether they conducted these thorough site visits.

So we said to the Lieberman committee—and, incidentally, Senator LIEBERMAN is favorably disposed toward this program. I do not recommend it to him or refer it to him or suggest he consider it believing he is prejudiced against it. He is not. He wants to support it, but he wants to make sure it is running well.

So we include a provision: Keep the program alive for another year. Protect all the students in the program. In the meantime, we should have an authorization. The committee should investigate how it is being managed and decide what the future will be. What will the next 5 years look like?

The legislation that created this said to the Department of Education, specifically: The Secretary may make grants under this section for a period of not more than 5 years to the Washington Scholarship Fund. We extended it for 1 year. They knew creating the DC voucher program it was a 5-year

program. We gave them an additional year so they could review this program and see how effective it might be.

Now, there is a second part I put in this legislation which apparently rankles some on the other side. Here is what it says: The Washington Government, the DC City Council, has to vote to continue the voucher program. How unreasonable is that?

I heard this morning on NPR Senator ENSIGN say: Well, we know they are opposed to it, so we want to take away local control of this school program. I have not heard that very often from the Republican side nor from the Democratic side. I would not want to live in a political jurisdiction where someone imposed a program on families and students without asking whether it was a reasonable thing to do, and in this case, whether the DC Public School System should, in fact, absorb a voucher program.

But on the Republican side of the aisle, most of whom voted against the idea of giving DC voting rights in Congress, want to impose this. This is their laboratory. This is where they want to have their experiment on voucher schools, and they do not want close scrutiny. They do not want an investigation. They do not want a reauthorization. They want to continue this program indefinitely, funding millions of dollars into a program that has been found to have significant deficiencies.

Until this bill that is before us today, there was no requirement that teachers in DC voucher schools have college degrees, but I put that requirement in the law. I lost that issue 5 years ago, and I think it is only reasonable we have that requirement today. So for the next year they are going to have to have teachers with college degrees, and the buildings have to be inspected. What is wrong with that? Would anyone want to send their kids to a school building that is dangerous or potentially dangerous? Apparently, some do. They want us to step away, not to have any scrutiny or any oversight over these school buildings. I am not one of those, and I could not in good conscience allow this program to continue without having that requirement.

Now, I will be honest with you. I backed off of the achievement test requirement after speaking to Chancellor Rhee. I said: Why don’t they have the same test?

She said: They should. But if you are only going to allow this program to continue under the law for 1 year, and it is uncertain what happens after that, don’t impose on them the costs of changing achievement tests. It costs millions of dollars. So let them stay with the current achievement test, even though they cannot be compared to DC Public School students with that achievement test.

So I deferred that, saying: Why impose a \$2 or \$3 million cost on them? Let the authorization committee decide whether that ought to be the case. I will certainly argue for it.

So now we have the Republicans saying: We do not want the program investigated. We do not want it reauthorized. We do not want the people of the District of Columbia to have any say as to whether it will be part of their public school system. That is the Republican position. I think it is unfair. I think it is unwise. I think it is bad policy.

If this program is good, it will stand on its own feet. If it is a program that needs improvement, let's make the improvement. If it is a program that has failed, let's move on and try something that will succeed. We are talking about the lives of children.

I might also say, Chancellor Rhee, I think, comes to her job with the DC Public Schools with a fresh, positive attitude. We need to make sure all the kids in DC, whether they are in voucher schools or not, have a high-quality education. The same goes for my State of Illinois and the State of Virginia. That is our first obligation. So that is where we stand today.

The Ensign amendment is going to be offered. At that time, we will have a chance to debate it even further. But we have funded the program through the next school year. Senator LIEBERMAN has given his word to me and those who support the program on the other side that he will have a timely hearing so we can get on with this review and reauthorization in a reasonable way.

Two separate studies by the Department of Education have clearly demonstrated that the Washington voucher program has no statistically significant impact on student academic achievement. We knew this program was going to expire in 5 years. We need to ask whether the money might be better spent on some other approach, whether it is in the DC Public Schools or into charter schools. It is time we take time for careful and deliberate consideration of this program.

For those who have written in several publications: DURBIN is just out to kill this program, I had a chance to do that, and I did not. I extended the program beyond its authorization for an additional year, gave them adequate funds to continue serving the students who are currently in the program, with the understanding, at least in the bill, that we would take the time to carefully study the DC voucher program.

For those who believe in the voucher program, do not be afraid. Do not be afraid to step forward and let people take a look at what has happened. Let's see what the successes and failures of this program have been and then decide how to go forward. I think that is a critical objective we can achieve.

OMNIBUS APPROPRIATIONS

Mr. President, I would like to say one other word about the pending legislation, the omnibus bill. I have listened to so many speeches on this floor about earmarks. I made a point yesterday in television interviews back in Illinois to

make it clear what I was talking about in terms of projects coming back to our State that were earmarks.

I do not think I can be any more transparent about earmarks. What we do in my offices is to put on our official Web site every request I make for earmarked funds, congressionally directed spending from appropriations bills. For every single request, I indicate who is going to be the recipient, how much money was asked for, what is the nature of the request, and clearly make a statement that I have no conflict of interest involved in making the request. I think that is required by law, and it is certainly a valuable requirement.

Then we go through the process of the Appropriations Committee choosing those earmarks they can put into a bill. At the end of the day, we not only send out press releases in terms of those projects that have been approved, we make it clear, so people know, start to finish, every step of the way.

So when I was on the news yesterday, I said to some of the local newscasters: The word "earmark" has such a negative connotation, but the word "earmark" should be remembered in this context: I have millions of dollars in this bill that will go to communities in the suburbs of Chicago that have been dealing with serious flooding problems for decades. We have made significant progress. I worked with Mayor Tony Arredia in Des Plaines, IL, before he gave up the office recently, and we protected many parts of his community that used to be regularly, annually devastated by floods—earmarks in appropriations bills for flood control.

The metropolitan area and sanitary district has this deep tunnel that we put money into by earmark year after year after year, so that storm water can be collected there and will not run off to integrate with the sanitary sewer system and will not cause degradation of Lake Michigan and rivers and tributaries nearby. That is one area.

The second area I focused on in the earmarks has been transportation. There are specific earmarks in this bill for the expansion of the Chicago Transit Authority and other transit systems in our area. They are struggling to survive with the recession. We are trying to make sure passengers do not have to pay outrageous amounts of money for them to continue to be successful in their operation.

Another earmark: \$4 million in this bill goes for the Chicago shoreline on Lake Michigan. When they surveyed the people of Chicago a few years ago and asked: What is the most important thing we have in our city that you are proudest of, they said: Lake Michigan, overwhelmingly. And they should. It is a beautiful expanse of water. Aside from the scenery and the beauty of it, it is part of the Great Lakes, one of the greatest sources of drinking water supplies in the world.

So what we have done is to address a 100-year-old shoreline that was crumbling and falling apart. I sat down with

Mayor Daley. We entered into an agreement with the Army Corps of Engineers. With this agreement, the city put money up-front. We came in with money on the Federal side. We have reduced the overall cost of the project and accelerated by years—as you drive along that lakefront, you can see they are building a modern lakefront that will serve us for decades to come. It is an earmark. It is an earmark in the bill.

When I hear people come to the floor saying: This is an outrage that all these earmarks are in the bill, I think to myself: There is nothing outrageous about this. We bragged about it. We have had press conferences about it. The people of our city think it is money well spent.

There is money in here as well going to hospitals to buy critical equipment. It is all listed—every single hospital, every single dollar—whether it is for research, cancer research, Alzheimer's research at universities, for example, or if it is buying critical equipment for hospitals that many times don't have the resources to do so. I try to help them out if I can. I think that is part of my job.

I listened to these overall criticisms of earmarks and I don't doubt that pouring through the thousands that may be in here, we are going to find some that are questionable. That is natural. One Congressman and one Senator may think something is important to his district, his community, his State; others may question it. That is part of the process. They should be questioned. But at the end of the day, to say that when you take 1 percent of this bill and allow Members of Congress to zero in on specific issues in their States, in their districts, that there is something inherently evil, wicked, criminal or wrong with it, it is not the case.

I wish to salute Senator INOUYE, who is our chairman of the Appropriations Committee, for what he and Congressman DAVID OBEY, the House Appropriations Committee chairman, agreed to do, which is to dramatically cut back the overall cost of earmark projects. Under the Republican leadership a few years ago, about 4 to 5 percent of an appropriations bill would be earmarked. They have brought it down to just over 1 percent. The goal is 1 percent. I don't think that is unreasonable, that 1 percent of the spending bill would be congressionally directed in a transparent and open process; otherwise, what happens, we give the money to the agency downtown and they decide where to spend it. It isn't as if the money would not be spent: oh, it will be spent, but it may not be spent as effectively or for projects that are as valuable as many of us who represent these areas believe.

We could have given the money to the Army Corps of Engineers for the Lake Michigan shoreline. I can say what would have happened. It would have cost more, there would have been

less local contribution, and it would have taken many more years to get started. We avoided all that with the earmark process. I know there is going to be a lot of debate—some even this morning on this—but my feeling is we are reaching the right balance of disclosure, transparency, and limiting the number of earmark projects so the taxpayers can have confidence that, at the end of the day, there is a process here and the scrutiny that there should be when it comes to taxpayers' dollars. At the end of the day, some of my colleagues will never be satisfied. They just will not be satisfied until every earmark is removed. I hope that doesn't happen. I think we can make the process better.

U.S. ECONOMY

Mr. President, I also wish to say a word about the state of our economy today, if I can, and set it apart in the RECORD because this is a historic anniversary week. As you may know, 76 years ago this week, exactly, on March 4, 1933, the President, Franklin Roosevelt, took the oath of office for the first time. He faced an America broken to its knees—not by a war or an invasion but by a depression which had broken the confidence of a proud nation.

It is hard for many people today to even imagine how frightened Americans were the day after he became President. Jonathan Alter, a news analyst for Newsweek, who comes from Chicago, recently wrote a book about the transition and beginning of the F.D.R. Presidency called "The Defining Moment." He sketched the picture very well. He said at that time America has experienced its gravest crisis since the Civil War.

The American economic system had gone into a state of shock. Days before the F.D.R. inauguration, the New York Stock Exchange suspended trading indefinitely and the Chicago Board of Trade bolted its doors for the first time since it opened in 1848. In the 3 years since the crash of the stock market, 16 million jobs had disappeared in 1933 and business investment had dropped 90 percent. America's official unemployment rate was 25 percent. In some areas, it went as high as 80 percent when it came to adult men. More than 5,000 banks had failed. People who were unlucky enough to put their money in them had lost everything.

The great economist, John Maynard Keynes, was asked by a reporter at the time if there was any precedent for what happened to the world economy. He replied: Yes. It lasted for 400 years. It was called the Dark Ages.

In his first inaugural address, Franklin Roosevelt told a shaken nation: "Only a foolish optimist can deny the dark realities of the moment." But then he went on to reassure America and said: "The only thing we have to fear is fear itself—" that famous phrase—"nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance."

F.D.R. said we needed to abandon the failed ideas that led us into economic crisis and try something new and bold. The Federal Government, the President said, will treat the task of economic recovery "as we would treat the emergency of a war."

What America needed, the new President said, was "action, and action now" to put Americans back to work and restore strength to our economy and rebuild people's faith in the future. He assured us: "This is no unsolvable problem if we face it wisely and courageously."

Where are we today, 76 years later, 76 years after F.D.R. took that oath of office on March 4, 1933? Another new President has inherited the worst economic crisis since that historic day in 1933. This crisis is not another Great Depression, thank the Lord, but it is grave. It is dangerous. It is unlike any crisis we have seen in our lifetime. Sadly, it appears to be getting worse at this moment. America lost more jobs last year than at any time since World War II. Manufacturing is at a 28-year low. Many businesses can't borrow or make payroll. Many workers and retirees are seeing their life savings disappear. People have seen the values of their homes and retirement plans plummet, and a large and growing number of Americans are uncertain and anxious about the future.

President Obama, sworn into office on January 20 of this year, has been in office a little over 6 weeks. He has made it clear we need to act and act quickly; otherwise, he says, the recession could linger on, unemployment could continue to grow, we could lose a generation of promise and potential as millions of Americans have to forgo college and a chance to train for jobs of the future. We could lose our competitive edge in the world if we don't act. In short, an already bad situation could get worse. He proposed to Congress, soon after he was sworn in, the American Recovery and Reinvestment Act—the most sweeping in history.

Similar to Franklin Roosevelt and Abraham Lincoln—another President who inherited a major economic crisis during the Civil War—this President has said we must put our American house in order, put Americans back to work, and invest in America's future. He has said the American Recovery and Reinvestment Act represents not just new policy but new thinking; a new approach to meeting our most urgent challenges. It will save or create 3 million to 4 million jobs over the next 2 years while investing in priorities such as health care and education. It enables us to rebuild America's crumbling infrastructure—the roads, the bridges, the schools.

The economic recovery plan also includes help for States. My State of Illinois is in deep debt. We are hoping this recovery plan will help them get through this difficult period. Also, it has a tax cut for most working families. Ninety-five percent of them will

receive this tax cut as soon as next month. It is a smart plan that invests in things that work. Congress, the President, and respected economists agree now is not the time to create new bureaucracies and new Government agencies. We should use existing programs wherever possible to make sure the recovery funds are invested quickly and efficiently to stabilize this economy. We are relying on experienced and knowledgeable Government professionals, but as most of us know, there is no playbook you can pick up at the library or find on a Web site. We are trying to make wise decisions based on economic experience.

I think this program we passed is a start, but the bill before us is equally important. This bill continues the function of Government. This bill allows many Federal agencies to continue with funding that is necessary so they can perform valuable services. If we don't pass this bill, we will reduce the amount of money that is being spent by these agencies at a time when our economy needs the spending to create the jobs to move us forward.

We are going to lose about \$1 trillion in purchasing of goods and services this year. The American Recovery and Reinvestment Act, along with this piece of legislation, will try to provide some jump-start to this economy, a catalyst for more economic recovery and growth, which is something we desperately need.

There is more that is needed as well. Next week I am going to, after we finish this bill, be talking about the housing crisis we face. I have been pushing for 2 years for a change in the bankruptcy law to allow the courts, as a last resort, to rewrite a mortgage. Last night, that measure passed in the House of Representatives. I hope we can take it up. We are in the process of working out the details of our Senate version now, and I hope that by next week we will be prepared to present it to our colleagues. We need their help. Some of them were skeptical when I last offered it. Many Democrats voted against it. They said: Well, we think this can work itself out. Some of those same Members have come to me since and said it didn't work. We thought the voluntary approach was what was needed; it didn't do the job. There are too many foreclosures. It is not only hurting the lives of those who lose their homes but the people who live next door.

I think it was Secretary Geithner who used the analogy at a hearing this week of someone who lives next door to a man who smokes in bed. Well, because of that unwise conduct, the man's house catches fire, and because of that fire in a closely packed neighborhood it endangers all the houses nearby. Now, you can shake your finger and say you never should have smoked in bed or you can pitch in and try to put out that fire because, if you don't, it could affect your home too. The same thing is happening here. Whether

the right decisions were made at the outset, whether people borrowed when they shouldn't have, whether people were the victims of predatory lending, that will eventually work itself out and we will know more about it; but in the meantime, we need to stabilize this housing market.

I listen to some of the great sources of information in America and one of them is Jon Stewart with the "Daily Show." He had a program earlier this week that was a classic. It involved a fellow named Santelli who, on a CNBC cable show, went into this what he called himself, a rant over the idea that we would help people facing mortgage foreclosure. He was critical of the wisdom of these people in entering into mortgages when they should have known better, making guesses about their economic future that turned out to be so wrong. Mr. Stewart, in a style which I find very entertaining and amusing, then proceeded to replay the statements made by economists on CNBC who downplayed the thought of a recession, who suggested that many of the great banking houses that have failed were going to do fine. He tried to make the point that even some of the people who were screaming at those who entered into mortgages they shouldn't have entered into got it all wrong when they tried to analyze the economy and give advice to America.

People do make mistakes. They should be allowed to recover from those mistakes in a situation where continued mortgage foreclosures could jeopardize housing markets and the value of everyone's home for years to come. That issue will come up before us next week. I look forward to it.

At this point, I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative 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 H.R. 1105, the Omnibus Appropriations Act.

Harry Reid, Daniel K. Inouye, Bernard Sanders, Tom Udall, Patrick J. Leahy, Ron Wyden, Christopher J. Dodd, Benjamin L. Cardin, Mark R. Warner, John D. Rockefeller IV, Debbie Stabenow, Patty Murray, Richard Durbin, Edward E. Kaufman, Jim Webb, Mark Begich, Byron L. Dorgan, Carl Levin, Dianne Feinstein, Roland W. Burris.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. Mr. President, I ask unanimous consent that the list of amendments in this agreement be the only first-degree amendments remaining in order to H.R. 1105; that no amendment be in order to any of the listed amendments prior to a vote in relation thereto; that the amendments must be offered and debated Friday, March 6; Monday, March 9; or Tuesday, March 10; further, that upon disposition of the amendments and the Senate has voted on a motion to invoke cloture on H.R. 1105 and cloture having been invoked, all postcloture time be considered yielded back, the bill be read a third time, and the Senate proceed to vote on passage of the bill.

Here is the finite list of amendments: Ensign amendment No. 615, which is pending; Vitter amendment No. 621; Sessions amendment No. 604; McCain amendment No. 593—he is in the Chamber now waiting to offer that amendment—Thune amendment No. 662; Barrasso amendment No. 637, which I understand he will offer on Monday; Enzi amendment No. 668; Kyl amendment No. 631; Kyl amendment No. 629; Kyl amendment No. 630; Kyl or designee amendment—we have a copy of the proposal—Cornyn amendment No. 673; and Bunning amendment No. 665.

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

Mr. REID. Mr. President, I have spoken with the Republican leadership, and we are going to try to have four of these votes starting at 5:30 on Monday evening.

UNANIMOUS CONSENT AGREEMENT—CONTINUING RESOLUTION

Mr. REID. Mr. President, I ask unanimous consent that if and when the Senate receives from the House a joint resolution which provides for the continuation of Government funding until March 11, 2009, if it is identical to the measure which is at the desk, it be considered read three times, passed, and the motion to reconsider be laid upon the table; that if it is not identical, then this order be null and void.

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

Mr. REID. This will get us teed up to work next week. I made my statement this morning. The Senate is the body that it is. It is sometimes difficult for even those of us who serve here to fully comprehend. But I think this Congress has reached a point in time where we are working together, when adversaries work together. It doesn't mean we always agree, but I think we all have the end in mind to try to help the country and move legislation forward.

I appreciate the work of my leadership, Senator DURBIN. He spent the evening with me last night. We finished

about midnight. He is such a good friend. I appreciate the conversation I had with Senator MCCONNELL and the many conversations I have had with Senator KYL.

Everyone is working in good faith, and this Senate agreement indicates that.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent to lay aside the pending amendment for the purpose of calling up three amendments.

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

AMENDMENT NO. 631

Mr. KYL. Mr. President, the first Kyl amendment is numbered 631.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 631.

Mr. KYL. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of State to certify that funds made available for reconstruction efforts in Gaza will not be diverted to Hamas or entities controlled by Hamas)

On page 942, between lines 14 and 15, insert the following:

GAZA RECONSTRUCTION

SEC. 7093. None of the funds appropriated or otherwise made available by this Act may be made available to aid reconstruction efforts in Gaza until the Secretary of State certifies that none of such funds will be diverted to Hamas or entities controlled by Hamas.

AMENDMENT NO. 629

Mr. KYL. Mr. President, the next amendment I would like to call up is amendment No. 629.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 629.

Mr. KYL. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide that no funds may be used to resettle Palestinians from Gaza into the United States)

On page 942, between lines 14 and 15, insert the following:

PROHIBITION ON USE OF FUNDS FOR RESETTLEMENT INTO UNITED STATES OF PALESTINIANS FROM GAZA

SEC. 7093. None of the funds appropriated or otherwise made available by this Act may be made available to resettle Palestinians from Gaza into the United States.

AMENDMENT NO. 630

Mr. KYL. Mr. President, the third amendment is numbered 630.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows: The Senator from Arizona [Mr. KYL] proposes an amendment numbered 630.

Mr. KYL. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require a report on counter-smuggling efforts in Gaza)

On page 942, between lines 14 and 15, insert the following:

REPORT ON COUNTER-SMUGGLING EFFORTS IN GAZA

SEC. 7093. Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Director of National Intelligence, shall submit to Congress a report on whether additional funds from Foreign Military Financing assistance provided annually to the Government of Egypt could be expended—

(1) to improve efforts by the Government of Egypt to counter illicit smuggling, including arms smuggling, across the Egypt-Gaza border; and

(2) to intercept weapons originating in other countries in the region and smuggled into Gaza through Egypt.

Mr. KYL. Mr. President, until Senator McCAIN arrives, let me briefly describe these three amendments.

Amendment No. 630 requires a report on countersmuggling efforts in Gaza. Within 90 days of the enactment of the Act, the Secretary of State, in consultation with the Director of National Intelligence, shall submit a report to Congress on whether additional funds from our military foreign financing assistance, provided annually to the Government of Egypt, could be expended, No. 1, to improve efforts by the Government of Egypt to counter illicit smuggling, including arms smuggling across Egypt and the Gaza border, and No. 2, to intercept weapons originating in other countries in the region and smuggled into Gaza through Egypt. This amendment requires a report to ensure the Egyptian Government can be even more effective in dealing with this difficult problem.

Amendment No. 629 is a prohibition on the use of funds in this bill for re-settlement into the United States of Palestinians from Gaza. There has been a suggestion that perhaps that might be permitted, and we simply want to make it clear that will not be permitted with any funds in this bill.

Finally, related to Gaza reconstruction, amendment No. 631 provides that none of the funds available in this bill may be made available to aid reconstruction efforts in Gaza until the Secretary of State certifies that none of such funds will be diverted to Hamas or entities controlled by Hamas. The reason for that, of course, is that in providing money to people in Gaza, it is very difficult to ensure that money doesn't go to terrorists, and we want the Secretary of State to ensure that

doesn't happen. That is what this amendment would provide.

Mr. President, that is the explanation of these three amendments, and I now yield to my colleague from the State of Arizona, Senator McCAIN.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

AMENDMENT NO. 593

Mr. McCAIN. Mr. President, I call up amendment No. 593, which is at the desk, and I ask unanimous consent for its consideration, understanding that under a previous unanimous consent agreement the vote on the amendment will be on Monday.

The ACTING PRESIDENT pro tempore. Without objection, the pending amendment is set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. McCAIN] proposes an amendment numbered 593.

Mr. McCAIN. Mr. President, I ask unanimous consent that further reading of the amendment be suspended.

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

The amendment is as follows:

(Purpose: To prohibit the use of funds provided in the bill)

At the appropriate place, insert the following:

SEC. 7. PROHIBITION ON THE USE OF FUNDS.

None of the funds in this Act may be used for any project listed in the statement of managers that is not listed and specifically provided for in this Act.

Mr. McCAIN. Mr. President, this amendment is very simple and straightforward. It would prohibit funds to be spent on the thousands of earmarks that are listed in the statement of managers but that are not included in the bill text.

We have seen a remarkable evolution over the past number of years here in the Senate and House as to how we do business, and I think there is no greater example of it than what we are considering and have, fortunately, not passed. This is the legislation. In itself, it is 1,122 pages. You can thumb through it anywhere, and you will find moneys to be spent on various projects, none of which—or very few of which have ever been authorized or examined by the committees that have jurisdiction. That in itself is interesting.

This is a funding mechanism to keep the Government in business. It also happens to be an 8-percent increase in spending over last year. It also happens that the majority, the Democrats on the majority side last year, chose not to pass these appropriations bills because they knew, or expected, that they would have a larger majority in the Senate and House and they would be able to increase spending, which is exactly what happened—an 8-percent increase.

Here on the other side of my desk is “statement of managers.” That statement of managers is 1,844 pages. Guess what it is filled with. The same ear-

marks and porkbarrel projects that are in the bill itself. The statement of managers used to basically just be a statement of the managers of the bill saying this is a bill that is being put forward and the reasons for it, the rationale for it. It used to be just a few pages. Now it is 1,844 pages. Remarkable. And guess what it is filled with. It contains part of the 9,000 earmarked porkbarrel projects in this bill, none of which have been authorized—or very few have been authorized, let me put it that way. I am sure there are some funds in here that have been authorized. But the earmarks in it are exactly that: they are unauthorized projects.

What does that mean to the average citizen? They hear about earmarks and pork, but they do not really understand what it means. Well, the way the Congress is supposed to work is, there are two parts to legislating. One is to review legislative proposals—both policy and funding by committees—and they say: OK, we will authorize this project, we will authorize \$1.7 million for a honey bee factory in Weslaco, TX. I don't particularly think that is necessary, but at least it is authorized. And then it is supposed to go to the appropriating committee, and they figure out how much money there is and then they appropriate the money. That system is completely broken. It is completely short-circuited. Now we have bills this size, statements of managers this size, and no one has ever seen or heard of many of these projects until it appears on the Members' desks. The system is completely broken.

So when I hear my colleagues stand up and defend these “porkbarrel projects,” when they defend \$300,000 for the Montana World Trade Center, which may be necessary, why didn't they ask for it to be authorized because of the need and then compete with all other projects that are necessary and that Members of the Senate and the House believe are necessary for their districts or States?

Mr. President, 20 or 25 years ago, I can tell my colleagues, an earmark was an unusual event. It was an unusual occurrence. But the evil grew and grew and grew. Like any other evil, it grew and grew and grew, so that now we are presented with legislation such as this, with 9,000 of them. And I can guarantee you that none of my colleagues fully read this bill or the statement of managers. Now, some people say: Well, it is not very much. It is not very much. Well, our estimates are that it is about \$8 billion. Now, \$8 billion to the average citizen is a fairly good sum of money.

Another egregious pattern of behavior which has crept into this is that there are policy changes that are put in, again fundamental changes in policy written in, which, of course, the Senate does not then have an opportunity to debate. One example is to do away with the voucher system in the Washington, DC, school system. Another one has been noted this morning

in the Washington Post, called “Truck Stop.”

When we signed a free-trade agreement with Mexico—I believe it was 14 years ago—part of the deal was that Mexican trucks, provided they met all the safety standards and all the requirements, would be able to come into the United States, with reciprocal access to each other’s markets. Thanks to the influence of the unions and others, there is an amendment in this bill that basically kills that. Now, you can take either side of that issue. Maybe there are a lot of Americans saying—even though these Mexican trucks are inspected, even though they meet the safety standards, even though we promised in the North American Free Trade Agreement that they would have access to our markets—maybe we shouldn’t do that. But should we be doing it in an appropriations bill, in a bill this thick, in a statement of managers this thick? Should we be making policy changes in here?

By the way, I will talk a little more about this later on, but the Mexican Government is in an existential threat with the drug cartels in Mexico. Phoenix, AZ, has now become the kidnapping capital of America. There is violence on the south side of our border which is spilling over onto our side of the border. The President of Mexico, President Calderon, has staked everything on taking on the drug cartels, and the corruption he is fighting is at the highest levels of Government. So what have we done in this appropriations bill? We have just sent a signal to the Mexicans that we are not going to keep our agreements with them. We are not going to stand by our solemn pledges to them. And, by the way, we are going to do it in an obscure provision in one of these either 1,122 pages or 1,844 pages.

So I hope the American people and our colleagues understand what it is that is so badly broken here. They say: How in the world do we—when unemployment today is at 8.1 percent and people can’t afford their health insurance premiums, are losing their jobs, are being moved out of their homes—afford \$951,000 for Sustainable Las Vegas; how do we afford \$819,000 for catfish genetics research in Alabama?

You will note that there are always locations associated with these earmarks. I had a discussion with a Member of Congress about one of the provisions having to do with tattoo removal—tattoo removal—because it helps when combating gangs. Maybe tattoo removal needs to be funded, but, of course, this earmark was directed to a specific geographic part of the country. So while the American people are suffering under the worst recession since the Great Depression, we here in Congress not only are doing business as usual, we are wasting taxpayer money at an incredible rate, and these 9,000 earmark projects are part of that.

By the way, there are also 13 projects in this bill, which total approximately

\$9 million, that were the result of the efforts of an outfit called PMA. PMA is a lobbying group, the head of which was a former staff member in the U.S. Congress, and PMA has been raided and shut down by the FBI. They are under active investigation for corruption, and they were “listed” as those responsible for these 13 projects. We can’t even take those out. We can’t even take those out.

It is really remarkable. On Thursday, the media reported that in discussions with Majority Leader REID, Speaker PELOSI took the position that if a single amendment to this omnibus bill was made by the Senate, she would refuse to resubmit the bill as amended to the House but would, instead, put the rest of the Federal Government under a continuing resolution for the remainder of the year.

I think we should be on a continuing resolution as we have been and examine each one of these appropriations bills individually, debate them, and decide what various appropriations should be and how they should be funded and what the priorities are.

By the way, we also have proved that we can pass another continuing resolution because we just did. The insistence that not a single change could be made or it would shut down the Government and jeopardize even the most essential Government services was high drama at its best, used to sway Members to oppose even the most commonsense proposals, such as insisting contracting be fair and subject to open competition and restricting funding that was achieved through a lobbyist organization.

By the way, it is my understanding that last year this same organization, PMA, which has shut its doors, was raided by the FBI. The home of the head of it was raided by the FBI, and last year they got \$300 million worth of earmarks in an appropriations bill.

What I am saying is, this system has become a corrupt practice. That is why we have former Members of Congress now residing in Federal prison. That is why we have continuing indictments of people who were involved in the Abramoff scandal, which all had to do with obtaining these earmarks in appropriations bills which were not authorized and nobody knew anything about. We even had a situation last year where a couple of items were put into an appropriations bill after the President signed it—after the President signed the bill. They were inserted. Investigation of that is still going on.

It seems to be the Speaker’s position that the Senate should have no voice in a \$410 billion appropriations bill that funds every agency in the Federal Government other than Defense, Homeland Security, and the Department of Veterans Affairs. I have been deeply disappointed by many things this new Congress and this new administration have begun. After all the campaign promises of changing the culture of

Washington, bringing hope for a new era, bridging differences between people, parties, and ideology, what we have actually seen and what has been delivered to the American people is far different: first, in the \$1.2 trillion stimulus bill and now in this massive \$410 billion appropriations bill, which would, in a normal year, be the largest appropriations bill the Congress would pass. There has been no serious effort at bipartisanship. There is no serious effort to hear opposing views, to have an honest debate, to balance carefully the policy implications of our actions. We should engage in serious debate and vote on amendments without the false threat of a shutdown of the Federal Government or an out-of-the-hand rejection of all amendments.

The President has said, and the Director of the Office of Management and Budget has said, this bill is last year’s business. This bill is to fund the functions of Government this year—not last year, this year. To say somehow that this is “last year’s business” because we are voting on funding for the operations of Government for this year is disingenuous at best.

I have talked to Members on both sides. I have talked to people who said: Yes, we need to do something about this earmarking, and we would like to sit down and do something about it. We would like to reduce it. That is like saying you would like to reduce any other evil. You want to eliminate it.

There is a simple way, I say to my friends who say they are unhappy with the way this explosion of earmarking and porkbarrel spending is taking place. There is one simple solution: Authorize it. Send it through the authorizing committees. Then, if I have a problem with the Buffalo Bill Historical Center in Cody, WY, for which I am going to spend \$190,000 of our taxpayers’ dollars, then fine. I may not like it, but at least we will have gone through a process of scrutiny, of proposal, of authorization, and the Buffalo Bill Historical Center would be in competition with other proposals for other historical centers throughout the country if they are needed.

Maybe we need to improve blueberry production and efficiency in Georgia. It is \$209,000 to improve blueberry production and efficiency—in Georgia. Maybe not in Maine, maybe not other places where blueberries are grown, but in Georgia.

We want to spend \$400,000 for copper wire theft prevention efforts. I would like to prevent copper wire theft as well, but maybe it should happen across the country. And I am sure the Alaska PTA needs \$238,000, but so do PTAs all over this country. Why should we earmark \$238,000 for the Alaska PTA? The list goes on and on.

As some of my colleagues may know, I have begun to twitter. We have been tweeting for the last week with “Top Ten Earmarks,” every day. We could go on for days and days. I would like to mention some of them. We began last Friday.

No. 10 was \$1.7 million for a honeybee factory in Weslaco County, TX; \$300,000 for the Montana World Trade Center; \$870,000 for wolf breeding facilities in North Carolina and Washington; No. 7 was \$332,000 for the design and construction of a school sidewalk in Franklin, TX; No. 6 is \$1 million for Mormon cricket control in Utah; No. 5 was \$650,000 for . . . management in North Carolina and Mississippi; No. 4, \$2.1 million for the Center for Grape Genetics in New York; No. 3 was \$6.6 million for termite research in New Orleans; No. 2 was \$2 million for the promotion of astronomy in Hawaii; and No. 1, on our first day, was \$1.7 million for pig odor research in Iowa.

Yesterday, the Chicago Tribune had an editorial entitled "Whoa." It goes on to say:

The Obama administration and Democratic leaders of the House and Senate are blowing the lid off of spending restraint. But they're finally meeting some resistance within their own party.

Sen. Evan Bayh (D-Ind.), in an essay published Wednesday in The Wall Street Journal, ripped a spending bill passed by the House last week as "a sprawling \$410 billion compilation of nine spending measures that lacks the slightest hint of austerity from the federal government or the recipients of its largesse."

He said he will vote against it, and he urged President Barack Obama to veto it if it passes the Senate. We second that motion.

Politico.com reported Tuesday that 15 senators—14 Democrats and one independent—met behind closed doors this week to share concerns over the cost and reach of Obama's proposed \$3.55 trillion budget for 2010.

House Speaker Nancy Pelosi, Senate Majority Leader Harry Reid and the Obama team are pushing a gaudy expansion of deficit spending.

A \$787 billion "stimulus" package. A \$410 billion spending bill. A \$3.55 trillion budget.

Their reasoning: we need to do this in response to the economic crisis. But it's sure sounding like business as usual in Washington. When in doubt, spend. When not in doubt . . . spend.

The \$410 billion bill hikes discretionary spending by 8 percent and includes at least 8,570 earmarks worth \$7.7 billion. "Such increases might be appropriate for a nation flush with cash or unconcerned with fiscal prudence, but America is neither," wrote Bayh. "Families and businesses are tightening their belts to make ends meet—and Washington should too."

The Obama folks have tried to dismiss this huge spending bill as a little cleanup work. "Last year's business," said Chief of Staff Rahm Emanuel.

Last year's business? No, this is the nation's business right now. We're going to borrow this money right now and carry the debt for decades.

The administration says Obama will sign this bill. Hopefully, enough Democrats like Evan Bayh will join Republicans in the Senate to put the brakes on this. Let everyone catch their breath and rethink this spending spree. Right now, Democratic leaders look like they're getting dizzy from all the dollars they think they have to throw around.

What we should be doing is not passing this legislation now. Go back to the drawing board. Go through the appropriations bills and authorize them as necessary and figure out how much we need to spend rather than have a bill

that is like this and like this, which nobody has read.

Also, if the Congress goes ahead and passes this bill, then the President should veto it. The President should abide by the commitment he made in the campaign, the debate in Oxford, MS. The President of the United States, then-candidate Senator Obama, stated it clearly. He said: I will go line by line through these bills, and I will veto the ones and scrub the ones that are not necessary.

The President, then-Senator Obama, made a commitment to the American people. He can keep that commitment by vetoing this pork-laden bill.

The list goes on and on of these projects. I mentioned the 13 projects of PMA.

I want to return to something that is very disturbing, and that is the provision concerning free trade with Mexico. I would again like to quote from the Washington Post editorial today that says "Truck Stop," entitled "Congress Flashes a Yellow Light on Free Trade With Mexico."

President Obama seems to have resolved, for now, an incipient dispute with Canada over "Buy American" rules in the stimulus package. The law would have hurt Canadian steel exports to the United States, but, at the White House's insistence, Congress appended language that blunted the worst protectionist consequences. Now, however, Congress has turned on Mexico, the United States' other partner in the North American Free Trade Agreement. A \$410 billion omnibus spending bill contains a provision that would pretty much kill any chance that long-haul freight trucks from Mexico could operate in the United States, as had been promised under NAFTA.

Economically, giving U.S. and Mexican trucks reciprocal access to each other's markets makes a lot of sense. Currently, Mexican rigs can drive in only a small zone on the U.S. side of the border, where they must offload their goods onto U.S. trucks. The process wastes time, money and fuel, harming the U.S. environment and raising the cost of Mexican goods to U.S. consumers. Yet access for Mexican trucks has been bitterly resisted by U.S. interests, most notably the Teamsters union—which claims that poorly regulated trucks from south of the border would be a menace on U.S. highways.

In an effort to disprove that, the Bush administration promoted a pilot project under which Mexican trucks, screened by U.S. personnel, could operate freely within the United States. The Mexican trucks compiled a safety record comparable to that of American rigs. Mexican participation was limited, however, because of the political uncertainty. And safety was always a smokescreen for the Teamsters' real concern—economic turf—anyway. Now the Democratic majority on the Hill has slipped into the omnibus bill a provision killing the program. The provision seems certain to survive, given that the president supported such a measure when he was a senator; his transportation secretary, Ray LaHood, backed it as a member of the House.

When the U.S. economy needs all the help it can get, this legislation perpetuates inefficiency and invites Mexican retaliation against U.S. exports. To a world looking for signs that Democratic rule in Washington would not mean revived protectionism, this can only be a disappointment.

So you not only have these earmarks that are in the thousands, you not only

have companies that are under FBI raids and shut down by the Government, adding porkbarrel projects, but you also have policy provisions in the bill which can damage relations with a country we need good relations with, given the fact that the drugs we are creating a demand for flow through their country.

As I mentioned earlier, the Mexican Government, under the courageous leadership of President Calderon, is in an existential struggle with the drug cartels. He needs to win. He needs to win for a variety of reasons, including the direct effect the flow of drugs from Colombia and other places, through Mexico into the United States, has and the damage it does to our young people and others who are using drugs.

This amendment, as I stated, simply says that all these provisions, which are in 1,884 pages, some thousands of earmarks that are in the "statement of managers," not be prohibited from being spent because they are not included in the bill here. It is a pretty straightforward amendment. I hope my colleagues will approve it.

Finally, I would like to say again, if the President of the United States wants to fulfill his promise to the people of this country if this bill is passed, he will veto the bill and he will send it back and tell us to clean it up. These are tough times in America. These are tough times. We cannot afford to do business as usual in the Senate and the House of Representatives. It is time the President led, veto this bill, if we pass it, and let's get down to the business of saving the taxpayers' dollars, rather than the profligate spending spree we have been on for so long which has mortgaged our children's futures and has committed generational theft.

I yield the floor.

Mr. DORGAN. Mr. President, on Wednesday, the Senate voted on an amendment offered by my colleague from Oklahoma, Senator COBURN. The amendment would have cut funding for thirteen congressionally directed projects. Eight of these projects are from the Energy and Water Development section of the bill.

Senator COBURN claimed these projects were included at the request of a firm that is under investigation. But every project named in his amendment was included in this bill at the specific written request of a Member of Congress.

In fact, thanks to reforms we made in the last Congress, anyone can go online and see exactly who requested these projects and where the funding is going. We have gone to great lengths to make the process as transparent as possible. Members of Congress who request funding for projects also have to file a letter with the Appropriations Committee to certify that they and their family members have absolutely no financial interest in the earmark.

Let me be clear, I did not personally sponsor any of these projects.

In fact, all of the projects in the Energy and Water Development section of

the bill that were targeted by Senator COBURN's amendment were included by the House in their version of the fiscal year 2009 Energy and Water Development appropriations bill. The Senate also carried one of the eight in our version of the bill.

So while I did not sponsor any of these projects, I find these projects are consistent with the work performed by the Department of Energy, and I saw no reason to eliminate them.

Let me briefly describe the sorts of projects that we are talking about.

One of the projects would provide \$951,000 for the direct methanol fuel cell. This type of fuel cell has the potential to meet low power needs, less than 1 kilowatt, with increased performance and improved storage ability.

Another project is focused on solar energy, providing \$951,000 to improve the efficiency of home windows, with the same goal—reducing net energy consumption.

As I said, every project on this list was requested by one or more Members of Congress. The process is fully transparent and the Members of Congress who requested this funding are fully accountable. That is why I opposed the Coburn amendment.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. WARNER. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can

do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

Just last week we had to trade in our truck, which was fully functional, in excellent condition and paid for, to finance a vehicle that we could afford to drive out of the local area. I have family and friends at Hill AFB, UT and in Eugene, Oregon. I have driven my truck to visit them before but would seriously have to plan ahead and save money to do it again using our truck. So, now we have a new to us used vehicle (a 2002) that is great, but now I have two car payments all over again. We had to weigh the fact that while we had a great truck, what good does it do you if you have to actually think about driving it someplace as close as Mountain Home? We used to drive it between Mountain Home and Micron all the time five years ago and never gave it much thought. Thank goodness we live in Kuna now, but still, when I go back to school, the 25 miles or so between Kuna and BSU would make a serious dent in my GI Bill money, which is just enough to cover daycare and tuition.

MEGHAN and WESLEY.

I am writing to you today out of major concern for our nation's stability. The price per barrel of oil continues to rise and, with it, so does our cost of living. I am just an average stay-at-home housewife raising my 6-month-old daughter with my husband, who works hard to be our sole provider. In the last six months, we have resorted to me giving up my job as a result of rising fuel, grocery and daycare costs. My husband owns an SUV, which is parked stationery now in our garage, and is taking my sedan to work each day. I rarely leave the house because of fuel costs skyrocketing! We do not have a lot of debt and rely on our savings, which is now dwindling to keep up with the rising costs of everyday living here in Idaho.

We are hurting, and I know from speaking to friends and family, they are hurting, too. The economic stimulus checks that we received went into my savings account to help our family pay for gas and groceries. Every two weeks, I buy groceries and it costs us \$165 a visit, every time we fill up the tank on our SUV its \$100 dollars every week in a half. I believe that we are in an economic crisis and that we are entering a depression, not a recession. The media maintains that we have not entered a recession yet. What reality are the media and our legislators living in?

Please take control of this situation! Do not let oil govern the direction our nation is sliding towards. Offer consumers some sort of fuel alternative. Fortunately, we do not use oil to heat our home. Those homeowners' must be reeling watching the fuel costs soar. You must react now! Salaries are stagnant, the cost of energy is rising, food costs are rising, home prices are falling all of these indicators of an impending Depression!

We cannot afford to wait 5 years for solutions to today's energy crisis! My recommendation is to put a team together in the city of Boise, which includes average middle class citizens that can give a more realistic view of everyday living costs and come up with some real alternatives/solutions which can be implemented now!

Both my husband and I have pulled our 401k plans out of the stock markets hoping for some stability. After working so hard to save through the years, it is heart wrenching to watch your 401k savings spiral downward! America is bleeding and we have to stop the flow of red! Offer the American people some

real solutions. Solutions that do not include lining the pockets of foreign oil industries with our bleeding American dollars!

I thank you for your time. I am sure you are well aware of this crisis. I wanted to give you a voice from an average middle class American Homemaker. I look forward to your administration making a memorable stand by offering America real solutions to this energy crisis!

ADRIANA.

Thank you for asking our opinion; this is a fresh change from the normal status quo in Washington. I live in central Idaho in a subdivision that has 3 full time residents and the closest town has a grand total of less than two hundred people. I love where I live and would not trade it for anything but it is getting harder and harder to just pay the bills let alone do any outdoor activities that require fuel. I work in construction and the company office that I work for is 25 miles away and 1300 feet higher in elevation than where I live. My wife works 15 miles away and has the same elevation change. This winter we had over five feet of snow on the level and temperatures below zero for many days. Needless to say, riding a bicycle is out of the question, driving a small car with no ground clearance just to get good mileage is no more than an invitation to spend the night in the snow in freezing temperatures. I have been paying \$4.99 a gallon for diesel for the last 4 weeks or so and gas for the cars has been over \$4.00 for about the same amount of time. Our weekly gas budget has almost doubled in the two plus years that we have lived here not to mention the cost of propane going up. I can guarantee you that our wages have not kept up and it does not look like there will be any increases in income in the near future. In order to have a weekend at the lake we now have to take at least one day off to make it worthwhile to go and go once every three weeks instead of every week or so. I have friends and family that used to come up all of the time and can no longer afford to come up. Tourism is a very large part of the economy up here and without the people coming to visit, going out to dinner, buying gas and just spending money this area will suffer.

I believe that we are being governed by a few very vocal extremists and special interest groups, who have enough money that they do not care or have lost touch with the average person. They advocate for and lobby for (I do not have time to lobby for anything or go to meetings I have to work to pay for the gas) all of these special regulations that supposedly protect something. I have been told by the government on more than one occasion that "We do not care what it costs to do that but you must comply to our regulations". We need to get the government out of the way, drill for oil in Alaska and off our coasts, build more refineries, increase the atomic usage and cut the ties with the countries that do not like us, but want our money and use it against us. In short we need to become more self sufficient, like we were in the past.

Thank you for your time

WADE.

Thank you very much for your e-mail. I get so frustrated and worried and feel like "we the people" are never considered by the politicians who run our government.

For the past 20 years I have lived on a small ranch in the south east corner of Idaho right near the Utah border. It has always been hard for us to make a go of it on the ranch. In fact, without our retirement we would never have been able to make it. Our nearest grocery store is either 36 miles to Malad or 46 miles to Tremonton, Utah. The