

Senator McCONNELL did not support the McCain-Feingold bill in the end. But he was passionate about there being a fair process.

As another Kentucky son once said, Justice Louis Brandeis, "We are not won by arguments that we can analyze, but by tone and temper—by the manner, which is the man himself."

To me, that is MITCH McCONNELL—a conservative to the marrow but someone who has never forgotten why we come here:

To make a difference.

So I congratulate my colleague and his family for reaching this remarkable milestone. May you continue to expand on it for many years to come. Thank you.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CARDIN). Morning business is closed.

#### DESIGNATING CERTAIN LAND COMPONENTS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume the motion to proceed to S. 22, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 22) to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I ask unanimous consent to speak for up to 10 minutes. I have conferred with the Senator from Oklahoma, Mr. COBURN, who was scheduled to speak first. That is satisfactory with him. I further ask unanimous consent that Senator COBURN be recognized at the conclusion of my remarks.

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

The Senator from Pennsylvania is recognized.

#### REPORT ON FOREIGN TRAVEL

Mr. SPECTER. Mr. President, I have sought recognition to speak briefly about foreign travel which I undertook over the past recess, focusing principally on the Mideast and on Europe.

My group arrived in Jerusalem on December 26, late in the evening on Friday. The next day, the hostilities arose in Gaza. I had an occasion to discuss this matter with a number of officials in Israel and also with Prime Minister Fayyad of the Palestinian Authority.

As is well known from the news reports, the Israeli action was taken in response to shelling by Hamas on Israel over a protracted period of time. Israel's action was legal under international law, Article 51 of the United

Nations charter which expressly recognizes the right of self-defense under circumstances where a nation is attacked. And that was the factual matter there. In speaking to Israeli President Peres and Israeli Prime Minister Olmert, the point was made that Israel was taking this action only as a last resort to protect Israeli citizens.

It is highly significant that the Palestinian Authority, which has had its differences with Hamas, has backed the Israeli position. We had a discussion with Palestinian Authority Prime Minister Fayyad, who said that the Palestinian Authority was convinced that Israel had acted properly and that the Palestinian Authority would do what it could to maintain quiet within the Palestinian Authority's jurisdiction in the face of any demonstrations which might occur.

It is worth noting that Egypt has backed the Israeli action, noting the aggressive stand taken by Hamas, and Saudi Arabia, too, has noted Hamas's inappropriate conduct.

We visited in Vienna with Ambassador Schulte and discussed at some length the International Atomic Energy Agency efforts to conduct inspections on what is going on in Iran with respect to any efforts by Iran to create a nuclear weapon.

A year ago, I had an opportunity to meet with IAEA Director Mohamed ElBaradei. He was out of town when we were there. I had a conversation with him by telephone on the issue of the efforts by the IAEA to conduct the inspections and that at the moment Iran is not cooperating and, further, international action needs to be taken to be sure Iran does meet its obligations under international agreements and that there are adequate safeguards to prevent Iran from developing a nuclear weapon.

When we were in Syria, Iran's activities on that subject were discussed with Syrian President Bashar al-Asad. On the Iranian subject, President Asad urged that action be taken to try to get the inspections, and that would be a more productive line than challenging whatever rights Iran had asserted.

In our discussions with President Asad, the subject of a potential Israel-Syria peace treaty was discussed. The Syrians have made it plain that they are interested in a return of the Golan Heights. Only Israel can decide for itself whether it is willing to give up the Golan with respect to whatever strategic advantage the Golan may have. Obviously, it is a different world strategically today than it was in 1967 when Israel captured the Golan Heights.

It is my view that there could be substantial advantages for Israel in terms of Syrian concessions in a number of directions to leave Lebanon as a sovereign nation without efforts to destabilize Lebanon but withdrawing any Syrian support from Hezbollah and also from Hamas. When we discussed with

President Asad the issue of Hezbollah and Hamas, he said if the Palestinian issue could be resolved, those other matters would fall into place.

There is also the potential advantage of trying to move Syria away from the influence of Iran. That is not an easy matter. But if there were to be an Israeli-Syrian peace treaty—and I think that can happen only with the participation of the United States—the prospect would be present of improving that situation of trying to separate Syria from Iran.

In Brussels, we had a meeting with General Craddock, who is the NATO commander there. We discussed a variety of subjects, as described in a more extensive report that I will ask to have printed in the RECORD.

With respect to our discussions with General Craddock, the key point was the issue of what is going on in Afghanistan. General Craddock made the point that there cannot be a military victory in Afghanistan but the military can be successful in securing the situation, that there will have to be improvements in the Afghanistan Government in dealing with the people of Afghanistan. General Craddock commented that he thought it would be a protracted period of time where we would have to have substantial NATO forces, in addition to those provided by the United States, to find a resolution of the issues in Afghanistan.

I was accompanied on my trip by my legislative director, Chris Bradish, my military escort, Phil Skuta, and by Dr. Ronald Smith, all of whom did an excellent job. A very comprehensive trip report has been prepared by Mr. Bradish. I ask unanimous consent to have printed in the RECORD, as if stated in full on the floor, the trip report.

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

#### REPORT ON FOREIGN TRAVEL

Mr. President, as is my custom, when I return from foreign travel, I file a report with the Senate.

From December 25, 2008 to January 5, 2009, I traveled to the United Kingdom, Israel, Syria, Austria, Belgium, Norway, and Iceland. I was accompanied by my wife, Joan, my Legislative Director, Chris Bradish, my military escort, Phil Skuta, Colonel, USMC, and Dr. Ronald Smith, Captain, USN.

#### ISRAEL

I departed the United States on December 25th and made a brief stop in London en route to Israel. We arrived in Israel on the evening of December 26th. This was my twenty-sixth visit to Israel since joining the Senate in 1981. Almost exactly a year after my previous visit to Israel, the domestic political landscape had changed significantly. Prime Minister Ehud Olmert tendered his resignation on September 21, 2008, and general elections are set for February 10, 2009. One of the major questions being posed to the major parties is how best to approach the peace process.

A 6-month truce between Israel and Hamas ended on December 19, 2008. United Nations data showed that fewer rockets were fired at Israeli towns in the initial few months following the onset of the truce on June 19, 2008. The New York Times reported on December 19 that, "more than 300 rockets were

fired into Israel in May [2008], 10 to 20 were fired in July. . . . In August, 10 to 30 were fired, and in September, 5 to 10." However, as reported by The Washington Post on December 23, 2008, Israeli towns were faced with an increasing barrage of fire as the truce neared its end: "[H]undreds of rockets and mortar shells . . . have been fired at Israel in the past month."

The day after my arrival, Israel launched air strikes on Gaza in response to the rocket attacks by Hamas.

The rockets launched from Gaza as well as those from Hezbollah pose a major threat to Israel's security. To counter this threat, I have long supported full funding for the Arrow Anti-Missile System, the David's Sling Weapon System, and the Counter Terrorism Technical Support Working Group. During my tenure, I have worked to secure more than 80 billion for Israel, to include \$1.4 billion for the Arrow Anti-Missile System.

On December 28th, I had a working breakfast with the U.S. Ambassador to Israel, James Cunningham. It is worth noting that Ambassador Cunningham is a product of Allentown, Pennsylvania. Ambassador Cunningham's prior posts, notably at the United Nations, provided him a broad experience in dealing with many of the regional players. He briefed me on the situation in Gaza, the upcoming elections in Israel, Iran's influence in the region, and the prospects for peace agreements with Syria and the Palestinians.

Following our meeting we departed for Beit Hanassi to see President Shimon Peres. He updated me on the Gaza situation and stated, "We didn't do it with great pleasure. We didn't have any choice."

I asked if negotiations on a peace agreement could come to fruition with the Palestinian Authority with Hamas in the position it is in. Peres believed it was possible. We discussed the four outstanding issues that need to be addressed to achieve an agreement: security, borders, refugees and Jerusalem.

When asked about the prospect for an agreement with Syria, President Peres did not express enthusiasm, citing Syria's troubling alliance with Iran and the concern that Damascus may not be sufficiently interested in a peace agreement. He stated that Syria cannot have Lebanon and the Golan at the same time.

I asked the President about what can be done on the Iran front. His best advice was to keep the price of oil low as that will generate lower revenues for Tehran. Broader energy independence is critical. Peres stated, "Kill the oil, kill your enemies . . . . Oil produces pollution and craziness . . . . don't shoot at mosquitoes, dry the swamp." Peres advised us not to deal with Tehran until after Iran's May elections.

I have pushed for greater consideration of the Russian proposal to enrich Iran's uranium. President Peres indicated that there is a broader opportunity for the U.S. to engage Russia. He indicated Russia is concerned about American's missile defense activities in Europe and regional hegemony. He suggested using missile defense as an avenue to turn the U.S.-Russian problem into cooperation against Iran.

Peres shared with me his views on future economic issues and stated there will be five great industries: energy, water, stem cells, homeland security and education. I asked what Israel hoped for in the new U.S. President. Peres replied that he wanted him to be a great President for the United States.

On the afternoon of December 28th, I met with Prime Minister Ehud Olmert. I asked Olmert where Israel and Syria stood on their proximity talks. He said they chose the Turks as mediators because they are good li-

aisons who are trusted by both sides. Olmert said there had been four rounds in which the issues to be discussed in a potential dialogue were presented such as borders, terrorism and Iran. He said of Syrian President Assad, "I know what he wants from me and he knows what I want from him."

He expressed disappointment that Syria did not provide clear signals that they were willing to acknowledge what Israel wanted. It was his view that Syria was waiting for a new U.S. President to assume office before seriously engaging. Nonetheless, he said he was committed to carrying out the process.

I asked the Prime Minister if Iran knows how dangerous it is for them to obtain a military nuclear capability. He replied, "Iran feels the weakness of America." He suggested the U.S. apply more pressure on Iran by ending business and commerce exchanges, particularly from the European Union. Olmert believes that there are plenty of options between the extremes of doing nothing and utilizing military force. On the question of when to engage Tehran, Olmert's view differed from Peres': "The sooner the better."

Following my meeting with the Prime Minister, I traveled to our consul general's residence for a briefing on Israeli-Palestinian relations and an update on the Gaza situation. The recent reports indicated there were 280 dead and 600 injured—a figure that would climb. He stated there were demonstrations across the Arab world and clashes in Hebron and the West Bank.

We discussed concerns over the potential for a humanitarian crisis in Gaza. The consul general informed me that Israel had provided 40 truckloads of humanitarian aid but a cessation of attacks did not appear imminent. We discussed the financing of Gazans who rely on the UN, Palestinian Authority salaries and Hamas to survive.

The consul general told us that the economy in the West Bank has improved under the direction of Salam Fayyad 18 months ago. Payrolls are being met and tourism is getting better due to a spillover from increased tourism in Israel.

We were then joined by Prime Minister Fayyad. I asked about the prospects for peace with Israel. The PM indicated that the peace process should be pursued and while it has not happened as quickly as some would like, the Bush Administration deserves credit for some of their efforts.

He stated that U.S. support of the Palestinian Authority has had a good impact in terms of helping them govern and provide services and draw support away from Hamas. I pressed him on how the money was being spent and was told it was going toward economic development projects and infrastructure. As a result of the PA's success in controlling expenditures and obtaining more revenue, they anticipate lowering their dependence on foreign assistance by 35 percent. He cited some of the efforts: reducing their payroll from 190,000 to 150,000; improving revenue collections such as utility bills; and installing prepaid meters, of which he noted that the city of Janin is using 100 percent prepaid meters.

He indicated that the private sector needs to be enhanced, but that it would only be possible when more mobility is permitted in the West Bank. Fayyad stated that the Palestinian Authority must be seen as competent and able to provide for their people.

On Gaza, Fayyad indicated that the sentiment is against Hamas because they know this would happen if they continued to launch rockets into Israel. Fayyad said he was upbeat about the prospects for improving life and the situation for Palestinians.

The Prime Minister told me that it is very important to deal with Syria and that it can-

not be ignored if one is looking for tranquility in the region. We discussed how Syria hosts terrorist entities and acts as a conduit for Hezbollah. He stated that this is a problem and that Iran was also a problem for the region. He believes that Israel will not allow Iran to obtain a nuclear weapons capability. He suggested engaging the Russians to make them a real partner in engaging Iran—something President Shimon Peres told me earlier in the day. He said it is not effective for the U.S. to yell at Iran. However, if others such as Russia started getting Iran's attention, it may change Tehran's calculus.

On December 29th I traveled to the Knesset to meet with Benjamin Netanyahu. Joining us in the meeting was Yural Steinitz, a member of the defense and foreign affairs committee, and Silvan Shalom, a former foreign minister.

On Hamas, Netanyahu stated it would be very difficult to peacefully engage them as their goal is to see Israel destroyed. I asked what could be done to minimize civilian casualties in Gaza. He replied that Gaza should not host terrorists. He further stated that both Abu Mazen and President Mubarak said the Israeli action was the responsibility of Hamas.

On Syria, Netanyahu reminded me of when I carried a message from him to President Assad in 1996. There was a concern at the time about troop amassments on the border. I was able to carry the message and according to Netanyahu and Syrian Foreign Minister Muallem, may have helped to prevent a military conflict. He expressed doubt about a potential deal with Syria, citing the difficulty of engaging them while they play host to terrorist entities and do not make any effort to halt transshipment of fighters and weapons through their territory.

With regard to the current situation with Iran, the group suggested a review of what happened with Libya. They stated it was not just sanctions or diplomacy, but rather the Libyan calculus that the U.S. and UK would attack. The threat of force, according to them, was the critical factor. Their conclusion was clear: Iran will only give up its nuclear weapons aspirations if the threat of military force is severe enough.

Following my meeting at the Knesset we departed for Tel Aviv for our flight to Syria.

#### SYRIA

We arrived in Damascus on the night of December 29th and were met by Charge d'Affaires Maura Connelly. This was my 18th visit to Syria.

On December 30th, I received a briefing from Charge Connelly prior to the day's meetings. Later that morning, we traveled to President Assad's palace.

President Assad began the meeting by expressing his concern with the situation in Gaza. I asked him if Hamas would ever change its policy or position towards Israel and Jews. Assad indicated that Khaled Mashaal, the head of Hamas who is located in Damascus, has said his group would accept the 1967 borders and that constituted recognition. Assad believes that Hamas has changed, that Mashaal is a moderate within Hamas and the best way to resolve border issues is for the Palestinians to have a referendum.

I told President Assad that Prime Minister Olmert had said he would like to see the time come when he could stay at the Four Seasons in Damascus. Assad responded that going back to the pre-1967 border is the key Olmert needs to access such a hotel room and that, "the Golan is everything for us . . . in every bargain, I put Golan first."

In May 2008, Israel and Syria announced indirect peace negotiations through Turkish mediators. According to a June 25, 2008 article by David Ignatius in The Washington

Post, "The channel opened in the fall of 2006, just after the summer war in Lebanon that had made both Damascus and Tel Aviv nervous about the destabilizing role of Hezbollah, Iran's proxy in Lebanon." I was first told about the secret talks in 2007 by officials in the region.

He shared with me the Syrian view on the proximity talks with Israel that have been facilitated by Turkey. He said that they were still at the stage of trying to get a set of principles in place which would allow for discussions but that the violence in Gaza would place this effort on hold.

I expressed my concern about Syria's involvement in Lebanon, the prospect of a nuclear Iran, the statements made by President Ahmadinejad regarding his desire to wipe Israel off the map and the transshipment of weapons through Syria to terrorist entities. I told Assad that Damascus has a role in these issues and has the opportunity to act positively.

On Lebanon, Assad said they had a positive role in supporting the formation and functioning of a government. According to an October 15, 2008 PBS report, "In August [2008], Lebanese President Michel Suleiman made an official visit to Damascus, where he and Assad agreed to solidify ties and demarcate their contentious border." We discussed the October 15, 2008 agreement signed by Syrian Foreign Minister Walid al-Muallem and his Lebanese counterpart, Fawzi Salloukh, which formalized diplomatic ties between Syria and Lebanon for the first time since the two nations gained independence, Lebanon in 1943 and Syria in 1946. Syria has pledged to provide an ambassador by the end of 2008, however one had not yet been sent. He stated that their mission in Lebanon had been established and staffed with diplomats and that they are deciding on whom to send to lead the embassy.

On Hamas and Hezbollah, Assad suggested that a comprehensive peace would resolve the issues associated with these organizations. Despite reports to the contrary, Assad stated that Syria is not being used to funnel weapons to these groups.

On Iran, the President said that Iran is an influential player in the region and one that has supported his efforts. This, combined with no support from the West, leaves him no option but to have positive relations with Tehran. However, he did indicate that Syria has told Iran that it does not support a military nuclear program in Iran should one be active.

On the nuclear question, I expressed my concern that the International Atomic Energy Agency, IAEA, has not had sufficient access to Iran and Syria. He responded by saying that Iran is ready for inspectors but that the approach taken to engage Iran is viewed a political game. He indicated Iran is open to inspections but the west must recognize Iran's right to enrich. Assad believed the way to resolve this issue is through some type of broad package. Nonetheless, you cannot discuss the right to enrich with Iran, but you can discuss monitoring.

After indicating that a nuclear Iran would not be tolerable and that I would like to see this matter resolved diplomatically, Foreign Minister Walid al Muallem told President Assad of my work during the 1990s to prevent and resolve conflict between Israel and Syria.

I again brought up the fate of the missing Israeli soldiers: Gilad Shalit, Guy Hever and Ron Arad. I reiterated my interest in seeing President Assad work to help secure the release of Gilad Shalit, who has been held in Gaza since June 25, 2006, and in determining the fate of Guy Hever, the Israeli soldier who disappeared from the Golan Heights in August 1997, and Ron Arad, the Israeli Air

Force weapons systems officer whose plane went down in 1986. In December 2007, I asked President Assad for his assistance in securing the release of Ehud Goldwasser and Eldad Regev, two Israeli soldiers who were captured by Hezbollah in July 2006. Regrettably, their bodies were returned to their families in July 2008.

As I told Gilad Shalit's father in a meeting in Washington this past summer, I remain committed to doing whatever I can to help secure the return of captured Israeli soldiers or, where they have perished, to obtain their remains. I have also requested the assistance of Egyptian President Hosni Mubarak.

I also followed up numerous letters I had written to Assad requesting he allow a prayer to be said over the grave of Eli Cohen. He rejected the idea, claiming it would not be possible given that Cohen was hanged as a spy and that Israel remained a Syrian enemy.

Following my meeting with the president, I was scheduled to meet with various social and civic leaders. In prior visits, and as recently as last year, I had the opportunity to meet with these leaders. However, I was not able to during this visit as it has become increasingly difficult for Syrians to meet with westerners for fear of retaliation. It is troubling that one year ago, I was able to have a dinner with Syrian citizens and have a meeting with Riad Seif, and twelve months later, Seif is in jail and others did not feel comfortable meeting with me.

On the issue of political prisoners, it was apparent that there had been an even greater crackdown. In October, Syria sentenced 12 prominent 'dissidents' to 2½ years for calling for democratic reforms and an end to the Baath Party's monopoly on power. The so-called dissidents are part of the Damascus Declaration National Council and are among Syria's leading intellectuals and opposition figures.

According to the U.S. State Department's March 2008 report on Syria's human rights practices: "Although the number of political prisoners and detainees remained difficult to determine due to a continuing lack of official government information, various local human rights groups estimated during the year that a total of somewhere between approximately 1,500 and 3,000 current political prisoners, including accused Islamists, remained in detention. Authorities refused to divulge information regarding numbers or names of people in detention on political or security-related charges."

Since 2006 the government has tried some new political detainees in criminal court, and once convicted on political or security related charges, they are treated like common prisoners. The government did not permit regular access to political prisoners or detainees by local or international humanitarian organizations. Human rights groups reported that many political prisoners serving long-term sentences remained in prison after the expiration of their sentences.

Following my meeting with the President, Foreign Minister Walid al Muallem hosted me for a working lunch. The Foreign Minister discussed the situation in Gaza as he was preparing to depart the following day for a meeting of Arab countries. He indicated that 44 children and 80 women had been killed in Gaza as a result of Israel's action.

I raised the issue of foreign fighters traversing through Syria. The Foreign Minister said that Syria used to cooperate with the United States but that after the Hariri assassination, and the souring of relations that resulted, cooperation ceased. Muallem asked why Syria should cooperate with the U.S. when the U.S. sanctions Syria. He indicated that Syria and Iraq have cooperated and claimed that Syria had stopped 1,200 fighters.

I pressed the Minister on the arrests of what are referred to as "dissidents." He indicated that they had contacts with Syria's enemies and provoking action against the regime.

Muallem indicated he had just met with Hamas leader Khaled Meshaal to discuss a possible ceasefire and if Hamas would stop rocket attacks should Israel agree to a cessation of bombing. He said he had also been in contact with EU foreign ministers on the matter. He indicated that Hamas' morale is high given the 2006 war with Hezbollah, but that Hamas and Islamic Jihad are willing to consider a ceasefire.

I pressed him on the possibility of a peace agreement with Israel. He expressed, as he has in the past, that the issues on both sides are understood. However, the bombing in Gaza has made it so Syria "cannot jump to peace with Israel." I asked what could be done to move the process forward. He replied that each side must respect the interests of one another and that dialogue is needed.

On Iran, Muallem stated that Iran has the right to enrich, and that the world needs to acknowledge that, but that Syria does not approve of Iran having a nuclear weapon. He stated that the U.S. missed opportunities when Rafsanjani and Khatami were in power.

#### AUSTRIA

We departed Damascus on December 31st for Vienna, Austria. The United States has three missions in Vienna: the bilateral mission to the Republic of Austria, the mission to the Organization for Security and Cooperation in Europe (OSCE) and the mission to the United Nations. During my stop in Vienna, I called on all three U.S. Ambassadors stationed in Vienna.

After arriving in Vienna, Ambassador David Girard-diCarlo hosted me for dinner. He briefed me on the mission's dealings with the Austrian government and some of the views and issues of broader Europe. We discussed how the financial crises has impacted Europe as well as the United States. I shared with Ambassador Girard-diCarlo my recent trip to Damascus and Israel and efforts to have the United States more aggressively engage in the peace process in the region.

I have known Ambassador Girard-diCarlo for many years. David is a graduate of St. Joseph's University and Villanova University School of Law. He served at Blank Rome LLP for 16 years as managing partner and CEO prior to becoming chairman in 2000, and he also served as chairman and CEO of Blank Rome Government Relations LLC, headquartered in Washington, DC.

Ambassador Girard-diCarlo was Pennsylvania Governor Richard L. Thornburgh's appointee to the Board of Directors of the Southeastern Pennsylvania Transportation Authority, SEPTA, from 1979-1982 and served as its chairman of the board. In 1981, he was elected as chairman of the American Public Transit Association, APTA, for a 1-year term. Ambassador Girard-diCarlo was appointed by former President George Bush in 1990 to serve as a member of the board of the National Railroad Passenger Corporation, AMTRAK, a position he held until 1993.

In addition to Ambassador Girard-diCarlo's professional responsibilities, his experience over the past 3 decades involved his active participation in the business and cultural organizations within the communities in which he lived and worked. He served in leadership positions at the Greater Philadelphia Chamber of Commerce, the Philadelphia Orchestra and Academy of Music, the Walnut Street Theatre, The John F. Kennedy Center for the Performing Arts, and the Arizona Heart Foundation—to mention a few. In 1999, he received the Judge Learned Hand Human Relations Award from the American Jewish Committee. He served on the board of Villanova

University School of Law, from which he received the Gerald Abraham Award for Distinguished Service in 2003. Also in 2003, Pope John Paul II conferred upon him the Pontifical Honor of Knight of the Order of St. Gregory the Great for his work with Business Leaders Organized for Catholic Schools.

Established as an independent organization under the United Nations in 1957, the International Atomic Energy Agency represents the realization of President Dwight Eisenhower's "Atoms for Peace" speech to the U.N. General Assembly in 1953. President Eisenhower proposed the creation of an international body to control and promote the use of atomic energy. Today, the IAEA is at the center of the ongoing standoff with Iran over its nuclear program.

On January 1, 2008, I met with Ambassador Schulte, the United States Permanent Representative to the United Nations Office in Vienna, the International Atomic Energy Agency, and other international organizations in Vienna.

Ambassador Schulte updated me on the IAEA's efforts on Iran and their reported pursuit of a military nuclear capability. He expressed the mission's desire to have Iran respond to directives provided by both the U.N. Security Council and the IAEA to suspend enrichment activities and allow inspections.

We discussed how Iran's failure to declare its facility at Natanz has created a significant trust deficit not only in the United States, but internationally. The facility, combined with the revelation that Iran had outside assistance from the A.Q. Khan network, which it previously denied, has compounded the problem. Ambassador Schulte stated that by violating the Non Proliferation Treaty, Iran has given up its rights under the treaty. He further stated that Iran's claims that their efforts are geared towards civilian purposes do not make sense from an economic or infrastructure capability perspective.

He was very interested in my recent stop in Damascus and my dialogue with Syrian officials during my tenure. Ambassador Schulte briefed me on the IAEA's response after the reported attack on Syrian infrastructure. He said Syria still denies the facility was of a nuclear nature, but that the IAEA inspectors believe it was. He expressed concern that the international community must ensure that Syria, and other actors, know that this type of behavior will not be tolerated and not forgotten. Ambassador Schulte revealed that Syria's tactics in responding to the IAEA have a stark resemblance to the response Iran has shown.

On the evening of January 1st, I spoke with IAEA Director General Mohammed El-Baradei, who I visited last year in Vienna. He updated me on his efforts on Iran and briefed me on the situation vis-à-vis Syria. We discussed how the U.S. and the International Community may better address Iran and resolve the nuclear issue.

While in Vienna, I hosted a meeting with Ambassador Julie Finley, the U.S. representative to the OSCE.

The OSCE is a major forum for issues of peace, security and human rights in Europe and Central Asia. A legacy of the historic 1975 Helsinki accords, it is the only fully inclusive trans-Atlantic/European/Eurasian political organization. Every state from Andorra to Kyrgyzstan is represented among its 56 participating States. Over more than 30 years, commitments to democracy, rule of law, human rights, tolerance, pluralism and media freedoms were hammered out at the OSCE and its predecessor mechanisms—and agreed to by all the participating states.

Ambassador Finley briefed me on her view of the Georgian-Russian conflict earlier this

year. She indicated that the OSCE has had a mission in the region since 1992 to aid civil society, enhance education and address environmental issues.

Ambassador Finley and I discussed the bilateral relationship between the U.S. and Russia and how organizations like the OSCE can better be used to address regional and international matters. As relations between the U.S. and Russia are increasingly strained, Ambassador Finley pointed out that the OSCE could be a forum to positively engage Russia as this is the only regional security organization in which Russia is a full and equal member.

We discussed U.S. policy more broadly and how diplomacy could be enhanced to pursue positive outcomes. Ambassador Finley confirmed my belief that dialogue is critical to addressing the challenges we face.

We departed Austria the following morning for Belgium.

#### BELGIUM

We landed in Brussels, Belgium on January 2nd. I hosted a meeting with Charge Kate Byrnes and Defense Advisor Randy Hoag. They briefed me on the major issues we are working with NATO: Afghanistan, reinvigorating the alliance, dealing with Georgia and Ukraine, the Balkans and emerging security threats such as cyber attacks and piracy.

Burden-sharing remains a concern as it was when I began visiting NATO in the 1980s. During my first visit to NATO in 1981, 3 percent GDP spending on defense was the goal for all member countries. Today, only five nations spend more than 2 percent: the United States, the United Kingdom, France, Greece and Turkey. This is a concern not only from the standpoint of the Alliance's health and ability to address issues, but also from the perspective that some are carrying more weight than others.

The only time Article V has been invoked was following the September 11, 2001 attacks on the United States. NATO declared that this attack was indeed an attack on the alliance. Today, there are currently 70,000 troops in Afghanistan—51,000 are part of the NATO-led International Security Assistance Force, ISAF. The U.S. provides 20,000 to ISAF. There are concerns that some NATO members are only providing civil or peacekeeping support for Afghanistan and are limiting what their militaries are permitted to do.

We discussed the NATO-Russia relationship with a focus on how expansion and missile defense impact the relationship between NATO and Russia as well as the U.S. and Russia. I was told that some member countries view missile defense as provocative and as the alliance progresses that is something that will have to be considered. I was briefed on NATO missile defense as well as U.S. missile defense in Europe and the future of missile defense on the continent.

I was told that NATO still has an open door policy, codified in Article X of the charter, which states a nation may appeal for membership provided it meets the requirements and shares NATO values. I was briefed on the expansion opportunities with Albania and Croatia and the potential for nations such as Georgia, Serbia, Macedonia and Ukraine to join the alliance. There is considerable fatigue in Europe over expansion—both at the NATO and EU level. While NATO has 26 members and the EU has 27, only 18 members are party to both structures. There are some EU countries which, while not party to NATO, do support the alliance and its efforts—namely Sweden, Finland, Ireland and Austria.

We then had the opportunity to discuss the U.S.-Belgian bilateral relationship with Robert Kiene, our First Secretary to the mis-

sion. He said the relationship has improved since 2003 when the U.S. took military action against Iraq.

When we left Washington, D.C., Yves Leterme was the Prime Minister. When we landed in Belgium it was Herman Van Rompuy. On our day of arrival, Van Rompuy received backing from the parliament by a vote of 88 to 45. Belgium like so many other nations is facing an economic crisis to include recession and bank disintegration.

Mr. Kiene discussed the recent political changes that occurred in Belgium. He informed us that Belgium, while under the 2 percent GDP spending NATO goal, is very keen on enhancing their ability to contribute to the alliance. We discussed how Section 1206 "Global Train and Equip" funds could be used to reward and encourage Belgium as well as enhance forces outside NATO.

Belgium played a key role in helping to obtain an EU-wide agreement on arrest warrants and in facilitating extradition of terrorist suspects. A Brussels trial of al-Qaeda-related defendants ended in September 2003 with sentences for 18 of the 23 accused, with another 2004 terrorist-related trial resulting in eight more guilty verdicts. Belgium operates within UN and EU frameworks concerning the freezing of terrorist assets, but has yet to develop a domestic legal framework to act independently. In support of Operation Enduring Freedom, Belgium contributed a navy frigate in the Mediterranean, Airborne Warning and Control (AWAC) crews for surveillance flights over the United States, as well as aircraft for humanitarian assistance to Afghanistan. Since 2002, Belgium has contributed ground troops to the International Security Assistance Force, ISAF, the UN Security council sanctioned peacekeeping mission in Afghanistan. Belgium currently has 420 troops assigned to the ISAF.

Mr. Kiene discussed the efforts of the Belgian government to combat terrorism. On December 11, 2008, Belgian authorities arrested 14 people suspected of Al Qaeda links. The following day, six of the individuals were charged with membership in a terrorist group. The remaining eight were released due to insufficient evidence. As reported by the Christian Science Monitor, "According to Belgian federal officials, at least some of the detained suspects had traveled to the Pakistan-Afghanistan border for training and were said to have been affiliated with 'important people' in Al Qaeda." According to a December 12, 2008 Associated Press article, the six charged included one who may have been plotting a suicide attack. While Belgium faced with terrorism issues at home, it is also contributing to NATO efforts in Afghanistan.

On the afternoon of January 2nd, I hosted General Craddock, Commander of the United States European Command. We discussed Afghanistan, the NATO-Russian dynamic, NATO expansion, the EU-NATO relationship, Kosovo, AFRICOM, and missile defense, among other topics.

General Craddock reported that the government and civil society in Afghanistan have not come along fast enough to support and rule the people of Afghanistan. He briefed me on the challenges, from criminal to insurgency to corruption, faced in the various regions of Afghanistan. We discussed how the money from narcotics are fueling those opposed to the U.S. and coalition forces. General Craddock cited a UN report which indicates as much as \$500 million in revenue from the drug trade is supporting those opposed to our objectives.

General Craddock confirmed the reports that fighters are moving back and forth between Afghanistan and Pakistan and that

the FATA region in Pakistan is hosting our enemies. General Craddock indicated that if tensions between India and Pakistan flare up, especially as a result of the recent bombing, Pakistan may pull resources from their Western border to engage India to the east. He estimates that Pakistan would need 50,000–100,000 additional troops on their western border to improve the ability to engage enemies in the FATA region. Further, he stated that whatever forces Pakistan uses in the west, they must remain there and hold the territory and prevent it from being receded to combatants.

We discussed the proposal of an additional 20,000 troops being deployed to support efforts in Afghanistan, but General Craddock indicated that these forces are contingent upon forces being drawn down in Iraq. This is also true for allies, such as the UK, who may be adding troops to Afghanistan.

General Craddock made it clear that the military cannot “win” Afghanistan. Rather, it can provide the right security conditions for a civil government to stand up. The government in Afghanistan needs to remove corruption, establish reliable police forces capable of providing public safety, create jobs and provide services such as clean drinking water. He predicted that a presence will be needed in Afghanistan for the next 30–40 years.

On Iran, General Craddock stated that Iran does not want to see the Taliban come back to power, but that they do desire the U.S. to remain tied down in the region. Iran’s eastern border with Afghanistan remains a major transshipment point for drugs, weapons and oil.

General Craddock is dual hatted in Brussels, as he heads NATO and the U.S. European Command. On the latter, he presented three challenges moving forward: (1) Convincing allies to better assist and engage in regional and international problems; (2) define a national strategy vis-à-vis Russia; and (3) resolve European missile defense issues.

#### NORWAY

On January 3rd, we arrive in Oslo, Norway. The last time I visited Norway was in 1994 during a meeting of the North Atlantic Assembly. This time, I met with representatives from our mission, Deputy Chief of Mission Kevin Johnson and defense attaché Don Kepley.

I was briefed on the U.S.–Norwegian relationship and some of the difficulties we have had this decade over foreign policy disputes, such as Iraq and our approach to Afghanistan. I was briefed on the status of Norway’s decision to buy Lockheed Martin F-35 Joint Strike Fighters and the current political situation in the country. Norway, like the U.S., has a significant global presence and has a history of being active on many foreign policy fronts from Middle East peace to Sri Lanka.

Norway is a member of NATO and is contributing to the mission in Afghanistan. They currently have 500 troops deployed which, while not large by number, is significant given their population. In addition to military support, Norway has contributed senior diplomats and significant aid to assist in the building of Afghanistan.

We discussed the Norwegian Government’s plans to fight the global economic crisis. While its large sovereign wealth fund lost a significant amount of money in the stock market, especially after the fall of Lehman Brothers, Norway is expected to do better than other Nordic and European nations during the economic downturn. Norway, which the CIA estimates has the world’s 21st largest oil reserves, will tap into some of its saved oil wealth to provide the country with an economic stimulus. Norwegian Prime

Minister Jens Stoltenberg said on December 19, 2008 that the stimulus package, “will include an ever greater increase in funding for public works and construction, and maintenance.”

On the day of my arrival, a protest of an estimated 1,000 Norwegians was occurring in front of Parliament and the Israeli embassy. The protestors, who had a similar gathering last week, were expressing their opposition to Israel’s actions in Gaza. While Norway was long a strong ally of Israel, the bilateral relationship has soured since the Oslo Accords.

The following morning I met with Benson Whitney, the U.S. Ambassador to Norway. We discussed our bilateral relationship, U.S. foreign policy, and our bilateral relationship with Russia and its impact globally.

Following the meeting we departed for Iceland.

#### ICELAND

On January 4, 2009, we arrived in Reykjavik, Iceland, where we were met by Neil Klopfenstein, our Deputy Chief of Mission.

The following morning I met with Prime Minister Geir Haarde. Prime Minister Haarde graduated from Brandeis University and earned two master’s degrees from Johns Hopkins University. We discussed a broad range of topics: Energy; the recent financial crisis and its impacts on the U.S. and Iceland; the situation in Afghanistan; and our relations with Russia.

Following the collapse of Iceland’s three main banks in October 2008, Iceland was cast into financial turmoil. A December 13, 2008 article in *The Economist* makes clear the magnitude of the problem: “[T]he scale of what confronts . . . Icelanders is only just becoming clear. According to the [International Monetary Fund], the failure of the banks may cost taxpayers more than 80 percent of GDP. Relative to the economy’s size, that would be about 20 times what the Swedish Government paid to rescue its banks in the early 1990s. It would be several times the cost of Japan’s banking crisis a decade ago.” According to the IMF, Iceland’s GDP is expected to contract by nearly 10 percent in calendar year 2009.

The Prime Minister was practical in terms of the outlook for 2009 but was optimistic that Iceland would see a turnaround in 2010. He indicated that Iceland has agreed to financing from the International Monetary Fund. The Prime Minister and I shared what each of our respective countries were looking to do in the form of economic stimulus.

Prime Minister Haarde thanked me for my work on the judiciary committee and our efforts to ensure businessmen have visas which permit them the freedom to work and meet in the United States. Citing his personal experience during his 6 years as a student in the United States, Prime Minister Haarde asked that we do more to ensure those who wish to study in the U.S. have the opportunity. I concurred and feel that it is in our interest to have foreigners, and potential future foreign leaders, spend time and be educated in the United States.

We returned to the United States on January 5, 2009.

Mr. SPECTER. Mr. President, I know Senator COBURN is near the floor and should be appearing shortly. But until he does, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COBURN. Mr. President, I ask unanimous consent that I be recognized for what time I might consume.

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

The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, we had an interesting day yesterday. We brought a lot of people to work, I believe unnecessarily, to adopt a motion to proceed that we could have voted on today.

I want to spend some time today outlining what our new, soon to be President, President-elect Obama, said during his campaign and what he said to me personally several times about how we fix what is wrong with our country. If you go to his Web site or what his transition team has said, what you will find are some very significant things that both he and I have worked on over the past 4 years.

He has a plan. It is called the Obama plan for restoring fiscal discipline. It is a good plan. What does it include? It includes conducting an exhaustive line-by-line review of Federal spending and eliminating Government programs that are not performing or are wasteful or are obsolete or are duplicative, paying for new spending commitments—new spending commitments—by cutting other programs—let me say that again—paying for new spending commitments by cutting other programs, slashing porkbarrel spending, rooting out redundancy, and requiring all Federal contracts over \$25,000, including earmarks, to be competitively bid, to truly measure program performance without ideologic slant, and enforcing goals and demanding that new initiatives be selected on the basis of merit, not a political process that rewards lobbyists and campaign donors and makes Members of Congress just look good at home.

That is President-elect Obama. I don’t know anybody outside of Washington who would not embrace that message. That is a great message for our country. It is a message that our country needs to heed. It is one that we need to accomplish. Unfortunately, the first week we are back in session, we are doing exactly the opposite. Here we have President-elect Obama who next week will become President Obama, and one of his main goals we are working to undermine in the Senate today.

I am going to be an ally of the President-elect on these issues. Every opportunity when we are not doing what he suggested we be doing, I am going to be raising questions about it. We are going to work hard for the hope and change he promised the American people he would deliver.

We have before us a lands package. It is not really a lands package. It has all sorts of stuff in it—165 bills. Initially, it spends \$1 billion, but that is not even honest because after 10 years it spends \$2 billion to \$3 billion more on one program alone. CBO has not even scored

this new package. The last package they scored, if appropriated, would be \$8 billion. So we have \$10 billion to \$12 billion in new spending.

The opportunity to offer amendments on that has been foreclosed.

So I thought, in light of what this bill is and in light of what President Obama said he would like to see us do, that I would highlight some of the amendments I would have offered had the minority, the Republican Party, the Republican Members of the Senate, been given an opportunity to amend this bill.

The best tradition of the Senate—the best tradition of the Senate—is where the best ideas get debated, the back and forth goes on, and then we settle on what is almost always a compromise but a compromise that is thoroughly debated and where an individual Senator has to put their stamp of yea or nay on ideas to either make it better or not. That is not available in this bill. As a matter of fact, it hasn't been available for 124 days. It has been available once to Republican Members of the Senate in 184 days.

So if we are to accomplish, or at least move in the direction that our soon-to-be President would like for us to, one of the things that is going to be required for that is taking tough votes. The idea we don't want our Members to have to take tough votes is the height of inside political baseball and it wreaks of a lack of courage. As a Senator from Oklahoma, if I can't go home and defend my votes in a cogent and reasonable manner, I shouldn't be sent back up here. That is all there is to it. If Oklahoma citizens believe I have not stood on the principles of which I told them I would try to represent them in this body, they should not send me back to the Senate. But to not have the votes in the first place, so we don't have to defend anything, goes against not just the culture of the Senate but it goes against the very courage that this whole country was based upon and that is the freedom to express and work and try to accomplish what you think is best for the country in the long run.

One of the great qualities of our country is this freedom to get out and express. Until recently, that freedom has been available in the Senate. But this didn't start with HARRY REID. It goes all the way back to George Mitchell and Trent Lott and Bill Frist. It has been perfected under our current majority leader. My thought would be that maybe we ought to take the hard votes rather than ruin the institution. Maybe we ought to do what the American people would expect us to do.

Now, my intent has never been, in all my proceedings on the floor, to extend debate. I mean, I think I could accomplish a filibuster if I wanted to do that. Having delivered 4,000 babies, I know how to stay up all night. My goal is to have the opportunity to do amendments and to have a vote on them. As most people know, agreements to time

on amendments are easily obtained, and limitation on amendments are most often very easily obtained.

So the fact is we find ourselves on a \$12 billion bill that has lots of good things in it and has lots of mediocre things that probably would be a priority if we didn't find ourselves with a \$1.8 trillion deficit this year and getting ready to pass an \$800 billion stimulus package that is about \$2,700 per man, woman, and child in this country, or about \$10,000 per family, none of which is going to be paid for—none of which is going to be paid for. It will ultimately be paid for, and here is how it will be paid for. When we look toward our grandchildren, what we are going to find is that not so many of them get to go to college because they will not be able to afford to. When we look toward them owning a home, regardless of the housing crisis we find ourselves in now, 30 years from now the ability to earn an income big enough to be able to afford a mortgage is going to be limited because we have been poor stewards with their taxpayer money. So we will have shackled our grandchildren.

So let me spend a minute talking about eliminating wasteful programs, or things that are not a priority, and go over a couple of the amendments we were going to offer simply to point out that we are doing the opposite of what I believe the intent of our new President is going to be. I might also add, it wasn't that long ago that all of us were paying \$4 for a gallon of gasoline. There is no question in my mind that a good portion of that price was because of speculation of the very rich in this country asking the very poor to pay out of their disposable income while they made millions upon billions of dollars manipulating the futures markets. But nevertheless, in this bill, we are putting a patch over our eye and limiting our ability in the future to increase our energy independence by taking millions of acres of land and forever closing them to any source of energy. It would not matter what any new technology might be, and it would not matter if we could do it totally without any environmental impact, we are closing that completely off.

That set aside, one of the amendments we were going to offer in this bill was to strike \$3.5 million to go to the city of St. Augustine, FL. Now, you might ask, what for? Well, they are going to have a birthday party in 6 years to recognize the 450th year of St. Augustine's existence, the longest Colonial outpost on this continent. I would say maybe that might be a St. Augustine, FL, responsibility or maybe the State of Florida, but when we are running a deficit in this country of \$20,000 per family per year, it seems ludicrous to me that we would send \$3.5 million for a party. How does that set with priorities? How does that set with eliminating wasteful spending? It doesn't. Yet it is in here, and we don't have the opportunity to try to take it out.

There is \$12 million in the bill to build a new facility in Maryland for orchids for the Smithsonian. We may need to do that, but we certainly don't need to do that right now. That is a luxury item. Every family in this country today is making a reassessment because everybody is afraid, and they are going through their budgets and saying: What is necessary? What is excess? What can we do without? Should we be putting money away in case X happens? Everybody in the country is doing that except the Congress. So here we have a new orchid building, costing \$12 or \$14 million, I don't remember exactly which, that we are going to put in this bill, and we are going to say this is a priority.

Now, some will say: Well, we might not appropriate it. We appropriate \$300 billion a year for things that are not authorized anyway, and most of those things are not priority as well. But the fact is, it is a clue to the American public that we don't get it; that in this time of significant economic downturn, in this time of significant debt laying on to the next generations, we continue to want to do things the average person of common sense would say: How can that be a priority? Well, it can't.

There is \$5 million in here for new botanical gardens in Hawaii and Florida. I don't doubt that could be a great thing that we could do. No. 1, I would ask the question again: Why isn't that a State responsibility instead of a Federal responsibility? If the State of Florida and the State of Hawaii think that is a priority, they ought to fund it. No. 2, if it is our priority, if it is our responsibility, is that something we should be funding now; that we should be authorizing; we should be saying it is okay to do this?

We are in perilous times. Yet we act like nothing is going on out there; that the average family isn't getting hit hard, that people aren't worried about their jobs; that 573,000 people didn't lose their jobs last month. That is how we are behaving.

One of the other amendments we would have offered is to prohibit the use of eminent domain both in the national trails, the wilderness areas, the new heritage areas, and the new national parks area. It is one thing for the Government to have its land; it is totally different for it, through the force of law, to take your land away from you and tell you what they are going to do with it. There is minimal prohibition in this bill for the protection of property rights in this country—a fundamental freedom guaranteed to every American. This bill steps all over those property rights.

We offered a total of 13 amendments, and we would have probably accepted 5 or 6, with less than an hour debate on each one of them. We could have been finished with this bill. We could have accomplished it last Thursday or Friday. But because we don't want to have to take tough votes or we want to protect a Member from a vote on some

piece of pork that was put in a bill, we have decided to have no votes, no debate on any amendment will be the standard for this body. It is not a good day for the Senate. More importantly, it is a terrible day for this country because we are saying that, even though we have great hope and promise of change by an incoming President, his own party is going to step on that—the careerists, the people who think politically only, the people who think short term only about political gain, instead of thinking about what is in the best long-term interests of our country.

It is interesting to know we have 108 million acres of wilderness in this country right now—more than anywhere else in the world. That number is actually greater than the amount of developed land we have in this country, which is 106 million acres. It is also interesting to know the Government already owns 653 million acres, and we are going to take, at a minimum, another 2.2 million acres and totally wall it off—can't ride a dirt bike through it, minimal access, can't hunt on it, can't do the things you have always done. If you happen to be unfortunate enough to have property next to it, you fall peril to having the National Park Service fund organizations that are going to take your property rights away, to limit your ability on the land you have that is abutting these areas.

As we come into next week, we approach the celebration of a very great milestone in our country, something that speaks volumes about the American system: the installment and swearing in of the first African-American President, one who leads on these issues while we in the Senate say we are going to keep doing it the way we have been doing it regardless of the tremendous hope that he brought to the American people, the hope for change, that we would operate differently. We hope he will lead a Government that operates differently—and I believe he will try. He is a very dear friend of mine. I believe he is going to try to do that as here we sit in the Senate, worrying about the political consequences of taking a few votes on amendments because we might not look good enough at home.

Talk about the lack of courage; talk about the decline that will be manifested in our country if we continue to have leadership that operates on the basis of fear instead of courage.

My challenge and my hope is that this is the last time we are going to see this tactic brought forward in the Senate. My pledge to the majority leader is I will not delay anything if I get an opportunity to amend it. But if I get no opportunity to amend it, I will delay everything because the lack of an opportunity to amend says that over half of the people in this country, the 160 million who are represented by my side of the aisle, have no voice in the matter. It says, if we don't get it, our voice doesn't count.

I look forward with great hope to the leadership we are going to see at the

other end of 1600 Pennsylvania Avenue. My prayer is that the leadership in this body can come up to the same level of character and courage that I believe we will see demonstrated at the other end of Pennsylvania Avenue.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

#### TARP

Mr. SESSIONS. Mr. President, I appreciate the opportunity of sharing some thoughts this afternoon. We are going to be moving forward, presumably even this week, with the second tranche. That is the second portion of \$350 billion of the Wall Street bailout, the TARP money.

And we will have that coming up, and there will be an attempt to move that through. I have believed from the beginning that it was unwise for this Congress to allow one individual, the Secretary of Treasury, to disburse \$700 billion. The way this is set up, and even with the way the votes might occur in Congress, is very troubling. The whole \$700 billion will be spent by the two Secretaries of Treasury, without any real accountability, without any real responsibility.

I think Congress is beginning to see the lack of wisdom that we displayed, the lack of fidelity to the responsibilities of the Senate, when we passed that bill with so little control. We do not even know where the money is going, and whether Secretary Paulson, who is a Wall Street guru, is moving money around among friends for friendship reasons, or meritorious reasons, or even if he can tell in this rush-rush effort to put out money, who is deserving and who is not deserving. It is not being done in an open and transparent way.

It is an indication and further proof that we in the Senate and the Congress were not rigorous enough when we passed it. I would add one more thing about that. It is something we ought not to forget. I hoped not to bring it up, but Secretary Paulson announced that he was going to buy toxic mortgages, bad mortgages from banks, in order to get those off their books. He said that most of them would be good and eventually they could be sold for a profit and the taxpayers would not lose any money, and that would be the way we would do this.

Well, within a week—and he was specifically asked at one hearing if he thought we should buy stock in private banks, and he said, no. Within a week or so, he had already changed his mind on that. Instead of buying toxic mortgages, he was now going to buy stock in private American companies. And,

in fact, he has now spent over \$100 billion in one company, AIG, the insurance company.

AIG is competing with other American companies. How should they feel, I ask you, that the U.S. Government is now providing \$100 billion-plus to their competitors? What about the banks who did things right and were cautious and managed their money well? How should they feel about the Government injecting capital into their competitors by buying stock?

And what about those of us who are not of the socialist bend? What should we think about the idea of the U.S. Government buying stock in a multitude of banks, at tens of billions of dollars, and now buying and investing in automobile companies? Someone said the newspapers are next. Well, I guess they are in trouble. They are not doing well financially. They can write a lot of editorials. I mean, maybe we ought to make them happy and give them money. What I am saying is, where does it end?

Out of that background, I want to have a little discussion of the possibility of a stimulus bill that would add some \$800 billion to the current level of deficit spending we already have. \$800 billion.

There is no doubt that our economy is not performing well. We know that economies historically are cyclical; they go through good times and bad times. They normally respond. We are clearly going through a very difficult recessionary period. The unemployment rate is increasing, and businesses are struggling. We had a hearing before the Budget Committee last Thursday. The Director of the Congressional Budget Office testified, and he predicted that this would be a 2-year recession. Someone later asked him: Well, did that include the stimulus package? And he said, no.

Well, would the stimulus package help? Spending another \$800 billion, would that help? He said: Well, it might. That is a little less than a ringing endorsement. He did not say that if we did not pass this bill the economy would never recover and we would continue on a downward spiral forever. So I would say that.

But I do think the Government can play a positive role in helping to shorten the length of the recession that we are in.

There are some things I am prepared to discuss and see if we can agree on. I know President-elect Obama feels very strongly about this. He has been out campaigning, and he made promises to do all he could to recover this economy. He intends to do something, and he promised to do something. He is going to do something.

Now, President Bush has already done some things that I also did not approve of. Doing something can be good. But doing something may not be so good if you do the wrong things. So I am aware that the new administration wants our country to prosper, and

so do I. If there are reasonable, commonsense steps we can take to do that, I say let us do so without delay.

But I want to share some thoughts with you about the fundamental truths that I think all of us in this country know, and especially the area where I come from. One of them is that there is no free lunch. Nobody can get a lunch and say someone did not have to work to put it on the table. There is nothing free. When something is given, somebody pays for it.

There is another thing that is a truism: one way or the other, debts have to be repaid.

You say: Well, you know, sometimes people go bankrupt, you do not get paid back. But the whole system is damaged when debts are not paid back. The next guy may have to pay higher interest rates because his neighbor did not pay his debts and the bank lost money and the bank has got to charge higher interest rates to account for that higher risk.

So there are costs out there, and nothing is free in this country. I wish to focus on this question first. What is the best thing we can do for America in the long run? What should we, the responsible Senate, where we're supposed to be the saucer that cools, what should we do and how should we approach this issue?

Let's be frank. The stimulus bill, the recovery bill as some are calling it now, may well provide some stimulus to the country. I am not sure. But I would say this: at its face, it is a spending bill. It spends money in order to create projects that might create jobs, and this is the theory behind the effort to stimulate the economy.

We spend the money to try to create jobs. So it relies on the theory that ramping up government spending will flood the country with money, \$800 billion worth, acting like a booster shot for a sick economy.

This is not a new theory. It has been tried before all over the world. Many economists say this type of spending-stimulus simply does not work. They have cited examples of it throughout history.

President Bush tried it in February last year, less than a year ago, when he began the process to send out a \$600 check. I think there is a general consensus now that the plan that was sold to Congress as a stimulus for the economy did not have the desired effect.

I wish it were not so. I wish it had. I would point out that I did not think at the time that it would work. I did not vote for it. There were not many of us who did not vote for it, but I was one of the few. But it did not work, in my opinion. It cost \$168 billion. Every penny of that \$168 billion, since we were in a deficit and it was new spending on top of what we planned to spend, and we knew we were there, is a deficit added to the deficit. As a result, it basically, in one piece of legislation, doubled the annual deficit last year.

Then we had some more spending that went on later on in the year. I will

show this chart in a minute that sort of dramatizes where we are.

So I would say both parties have some fingerprints on some policies that have not been very helpful. We did not ask enough tough questions when President Bush proposed his agenda, and we also did not ask enough questions when they passed the \$700 billion bailout in October, in my opinion. I hope we do not make the mistake again of rushing to approve the second phase of that along with this \$800 billion stimulus package.

We need to ask the right questions. We should not be intimidated by it. We should not be panicked. The bill does not have to be passed in 1 day, or else the country is going to be permanently damaged. We need to try to improve the economy without wasting money or creating long-term problems for the Nation.

So there is this effort to continue what Secretary Paulson promoted, a rhetoric that says we have got to do something and we have got to do it in a hurry. We have got to do it now. We are still hearing that. Well, I think we don't need to be afraid to say, let's slow this down a little bit.

When something of such historic proportions is on the table, a bill of this magnitude, the Senate has a responsibility to carefully scrutinize it and to insist on accountability and responsibility of every single dime. That is why we exist. That is why taxpayers send us here. Someone has to ask the tough questions. I do not want to dampen anybody's spirits. We have a wonderful new President. He has a positive attitude. He is proposing a lot of things and nobody wants to ask a lot of grim questions.

I am going to ask a few, though, because it is my duty to do so. First, how big is this plan? How much will it cost? We have heard some general numbers. It has been stated, although we still haven't seen any details, that it might be between \$800 billion and \$1.3 trillion, which is one thousand three hundred billion dollars. That is a lot of money. It would be the single largest Government expenditure of all time. Consider the enormity of a trillion dollars. It is the equivalent of paying for the Korean, Vietnam, and Persian Gulf wars at once.

Then, my next question is: Where will the \$800 billion to \$1.3 trillion come from? Where will we get it?

As I indicated, we are in a deficit now. So we are talking about spending another \$800-plus billion. Where does it come from? We will have to borrow every single penny of it from whomever will lend us the money, private investors or foreign countries. We have been depending, frankly, too much on foreign countries. We didn't budget for this \$800 billion. We don't have any money in the bank that we can get and pay for it. We don't have any savings we can draw on. All \$1 trillion will have to be borrowed. Since loans have to be repaid and you have to pay people

to borrow their money—that is what borrowing money is, you borrow it from somebody or some country, and they are not going to give the money for nothing—you have to pay them interest. Every bit of it will have to be paid back. Every American over the years, for generations to come, will have to sacrifice to pay off the debt we incur today.

The United States is, indeed, deeply in debt already, about \$10.6 trillion. My generation probably will not be the one to pay most of that back, nor will even our children. It will probably be our grandchildren who will begin to feel the heavy burden of this debt. We should consider that.

Then I will ask this question: What impact will the Obama plan have on the Federal deficit and the national debt? This spending program, virtually all of it, will increase the deficit, which is the difference between the money the Government takes in each year and what we spend. We spend more than we take in, so we have a deficit right now. To fund that deficit, we borrow money. Each year we have been running a deficit, and each year the deficit gets added to the total national debt. One might ask: How do these deficits and debts affect me? Well, when politicians are responsible and deficits are kept small as a percentage of the gross domestic product, we probably don't notice the impact. Interest rates remain low, and debt payments are easier to make. But when we have a sustained and systemic habit of growing deficits, the United States becomes a riskier investment for people who might like to loan us money. Interest rates will go up, and more debt at higher interest rates means the taxpayers have to pay a larger percentage of GDP towards interest on the debt. The most likely way those high payments would be met is by a tax hike. I am not sure that is the most likely, but one way those higher interest payments and higher debt payments will have to be paid back might be a tax hike.

In 2004, President Bush was criticized because, under his tenure after 9/11, after the economic slowdown, he had a big stimulus package, and it led to a deficit of \$412 billion. He was savaged for a \$412 billion deficit. I thought he did deserve criticism for that. Although it is not well known to most Americans, some work was done in the next years to bring that deficit down. By 2007, it was down to \$160 billion, a lot better than \$412 billion. That amounted to 1.2 percent of the gross domestic product.

This chart reflects that. We had a \$413 billion deficit in 2004. This was the largest deficit since World War II. President Bush was roundly criticized for it. A lot of people felt strongly about it. The next year the deficit dropped to \$318 billion; the next year, it was 248. The year before last, 2007, it dropped to \$161 billion. We were heading in the right direction.

Then we had the economic slowdown. Those things have a number of different ramifications, one of which is, when the economy slows down, people don't make as much money, so they don't pay as much taxes. So we lost about \$200 billion; we expect to lose about \$166 billion in revenue this year, according to the CBO, as a result of the slowdown. But last year, including the \$160 billion stimulus package, sending out checks, the deficit jumped to \$455 billion, the highest we have had since World War II as a percentage of the gross domestic product. That is a huge number.

We had a hearing last Thursday with the Congressional Budget Office Acting Director. A longtime professional budgeteer by the name of Mr. Sunshine did a fabulous job, but his remarks weren't so bright and encouraging. The Congressional Budget Office projects that even without any stimulus package, under current law, the deficit this fiscal year, the one we are already in—we passed the first quarter of it, and it ends on September 30 of this year—will be \$1.2 trillion. Remember, last year it was \$455 billion, the highest ever. This year we are looking at \$1.2 trillion. Senator CONRAD, chairman of the Budget Committee and a Democratic leader in the Senate, a good American, called that number jaw dropping. What else can one say?

That does not even include the stimulus package. If we add the numbers as proposed in the stimulus package, according to Mr. Sunshine, that will reach almost \$1.8 trillion. So we are talking about a deficit more than three times the largest amount ever. It may sound fine as a businessman. I heard today a very prominent American businessman on Joe Scarborough's show. They asked him about spending and the deficit. He said: Well, we have to do it. They asked: Isn't this going to create financial problems in the future? And the only answer he could give was: Well, we will worry about that later.

I think it is a little late to worry about spending an extra \$800 billion. It is a little late to worry about it later. We need to worry about it when we, the entity responsible for appropriating money, are deciding how much to appropriate and for what purpose. We ought to be thinking about it now, before we vote. This includes some of the expenditures for the TARP that they project. That is the \$700 billion bailout and some other things, some of which are one-time expenditures. They project next year the deficit will be \$871 billion. It might look like we made progress, but \$871 billion is twice what this number is, almost. The next year, 2011, it will \$572 billion.

Those numbers still are not the full number because they do not include, for example, about \$40 billion a year for the alternative minimum tax fix and several other things. So these are numbers based on existing law, and each year we have not allowed the alternative minimum tax to go up. There

are other things we extend each year. It does not include extensions of the current Bush tax cuts which would expire in 2010. He is not projecting they will be extended, but some of them, I am sure, will be. Those numbers are correct, technically, but in reality they are going to be larger, in all probability.

This deficit, almost \$1.8 trillion, amounts to 8.3 percent of the entire value of the American economy, the gross domestic product. That would be the highest in real dollar numbers maybe ever. As a percentage of the economy, it is the highest since we were in a life-and-death struggle in World War II, with millions of soldiers deployed all over the world putting their lives on the line for this country. We were building airplanes and ships and tanks with all the capacity this Nation had.

Today Mr. Sunshine told us the debt payment we are paying each year out of tax receipts is \$200 billion just to pay the interest on the money we already owe. Let me say a little bit about that. Interest rates are oddly at a very low rate today. It is inevitable, though, that people will stop loaning money to anybody, the U.S. Government or anybody else, for 1 or 2 percent. They are going to demand higher interest rates. That is what is going to happen.

The CBO predicts that interest rate amount will balloon in a few years to \$450 billion a year annually. So the Congressional Budget Office says, as a result of our profligate spending and huge deficits, we now are heading in a few years to a point where we will be spending \$450 billion a year only on interest. I ask, how big is \$450 billion?

I will give a couple examples to provide perspectives that are fair to consider. The 5 years of the Iraq war cost \$500 billion. We are creating a permanent interest rate payment every year that will have to be paid by our children, by our constituents. Our constituents today will be paying \$450 billion every year, just on interest, because we had to spend so much today and last year for responses to crises I am not sure justified this kind of spending.

I certainly think many of our programs deserve to be reformed, eliminated, or increased in efficiency, and a lot of savings could occur. We have not been doing that. All we have been doing is spending more and more, adding to our debt.

Madam President, \$450 billion is the equivalent, as I said, of the Iraq war. It is about one-third of the discretionary spending for our country every year. My recollection is that our general fund discretionary spending, including the Department of Defense, is about \$1.5 trillion. I think that includes the \$200 billion or so for interest now. So that number goes up to \$450 billion. It would be about a third of that amount.

We spend more on Social Security and Medicare and entitlement pro-

grams. That is on a separate accountability factor. But just on the Defense Department, Homeland Security, our salaries, highways, everything we spend money on—our interest on the debt would be that high. It is not a little bitty matter. It is a big deal.

The Congressional Budget Office predicts that by 2019, the share of Federal expenditures allocated to debt payments will increase from 6 percent to 13 percent of the entire economy. That does not include the stimulus plan the President will be sending to us.

So the next question. A trillion dollars is a staggering sum of money to borrow and pay back with interest. How do we know it will be spent in the most efficient way to jump-start our economy and get the most productivity for the taxpayers?

Well, the truth is, we do not. We know this proposal will have two components. The so-called tax credits and direct spending. Now, I have to tell you, a good bit of this tax cut is temporary and a good bit of it is a sales job. Tax cuts, tax credit: What does that mean? Well, some say 40 percent of that will go to people who do not pay taxes. So how do you get a tax cut if you do not pay taxes? The Government sends you a check from the Treasury just as they did last spring. They got \$600. So you get a check from Uncle Sam that is supposed to stimulate things and somehow help the economy.

The Congressional Budget Office, really under the supervision of the Congress—and the Congress is under the control of our Democratic colleagues; they have the majority now—the CBO rightfully scores these provisions not as a tax cut but as direct spending. What else can it be? It is a direct spending of taxpayers' money to send individuals a check to make them happier for the short term. What kind of long-term impact will there be on them, their children, and the economy in the years to come? What will this unwise prospect create?

The Wall Street Journal has pointed out many of these ideas are temporary and that temporary tax cuts do not result in positive economic behavior. But a more permanent change, when people know it is permanent, does have more of an impact in helping our economy.

Permanent tax relief, including—I have to say, please, do not think this is a way to pander to big business. But the corporate tax rate in America is one of the highest in the world: 35 percent. In Ireland, I think it is 11 percent. Most European nations—only one or two nations have as high a tax rate on the corporate community, which gets passed on as a cost of doing business and makes those corporations less competitive in the world marketplace.

We would be in a lot better shape if we could reduce that in a more permanent way. Then those companies could see, well, I am saving on my corporate tax rate. I will not have to lay off as many people. I can keep this company

going. Maybe we can invest and be more competitive when we export because I do not have as much of a burden on me, and it would help this economy. So I want to say many economists truly believe the corporate tax is not that, if reduced, would actually encourage economic growth and create more jobs.

So we know that just rapid expenditures of huge amounts of money have never been a very effective way to grow the economy. Are these spending programs—this \$800 billion plus—is that going to end cold turkey in 2 years? I have doubts about it. I want to tell you, I have my doubts about the wisdom of our idea that we can jump-start the economy by pumping \$800 billion into it.

So they are talking about—you have heard these numbers—well, we are going to spend a good bit of money on the infrastructure. Everybody likes highways. Everybody knows they are there for generations to come. Highways and bridges have good things that can be said about them and can make our lives better. There is always a line formed whenever there is highway money with people wanting to build more highways and more bridges. Currently, the Federal Government, which spends a lot of money on highways, spends, according to Mr. Sunshine, around \$40 billion a year on highways. OK. States match it on a 20-percent basis; 80 percent Federal, States 20 percent. In some areas it is 90 percent Federal, 10 percent State. We use this matching mechanism to fund highway construction in this country, and it amounts to \$40 billion a year.

We are talking about \$300 billion in 2 years? You take the \$300 billion, and cut it in two, that is \$150 billion each year. So now we go from \$40 billion a year for highways to \$150 billion? Well, let's say you only spend \$100 billion on it. With \$200 billion, that is \$100 billion more per year for highways, 2½ times what we are currently spending.

I would suggest those kinds of figures are unrealistic. When the chips are down, I doubt we are going to see anything like that much money being allocated to highways because it cannot be spent. There are not enough asphalt mixers, there are not enough concrete mixers, there are not enough dump trucks to actually spend that much money. That is a fact. You cannot triple the amount of work. And if you do, the bid per mile and the cost per mile is going to go way up. There is going to be a shortage dealing with everything in construction.

We simply cannot throw money at road construction and infrastructure. It has to be understood that since some of this is dropping off as a result of economic slowdowns, we can put that back on, and maybe a little on top, and keep this thing going at a more healthy rate. That may be possible, and I am willing to discuss that. But we ought not to sell the stimulus package that is being discussed that somehow the big-

gest chunk of it is going to get spent on highways. Right? So \$800 billion. Maybe \$30 billion a year extra; so \$60 billion out of \$800. So \$740 billion. Where is the rest of it going to be spent to stimulate the economy, I ask? "Shovel ready" they say. I do not know what that means. But I know you could not start off in the next few months and triple the number of highways built in America. There are not enough engineers. There is not enough heavy equipment. There is not enough material to do that. If you were to even try, it would drive up the cost, and so we would spend a lot of money, a lot more. We would make it much more expensive per mile to build highways in America. We have to be careful about that.

Well, they also talk about how there is going to be more money in this bill for the automobile companies, and maybe a bailout for State governments. They need more money too, don't they? So why doesn't the Federal Government—which sort of prints money—why don't we bail out our good friends at the State level? Unemployment insurance is going to need to be expanded. And some are talking about expanding broadband, and, of course, hiring an additional 600,000 Government employees. That is part of what is being discussed here.

As the Washington Post said, of course, many of these items were featured in President-elect Barack Obama's campaign pledges. There was a fine column by Mr. E. J. Dionne, who is openly a good, liberal columnist and has been a pro-Obama writer throughout. Mr. Dionne said it has been rather fortunate for the Obama campaign that he can utilize—and I am paraphrasing now, but I think this is close to the heart of what he said—it is very fortunate for President-elect Obama that all the spending he promised can now be justified, and they can call it a bailout or a stimulus package and not just a big spending program.

So I think we have to ask questions about that. Can we justify this? Fundamentally, every dollar we spend as part of regular Government spending programs or this stimulus program should result in an effective return to the taxpayers. We have no money to waste. We are in a time of unprecedented, incredible deficits. We ought not to waste a single dollar. Cannot we all agree on that?

Finally, my question would be, how will we Americans pay the trillion dollars back? There are three ways: cutting spending in the future. I do not hear anybody saying we need to be cutting spending, not on the majority side here. We talk about education, health care, highways, expanding the number of military personnel. All these things cost money. I do not see any realistic prospect we will see any huge reduction in spending, I have to tell you.

You could raise taxes. But I do not like raising taxes. I have tried to oppose that throughout my career. Presi-

dent-elect Obama says he wants to give everybody a tax break. Who is going to raise taxes in any significant way? Oh, you can tax the rich and get a little out of them when the economy is doing pretty good. When the economy goes down and the rich income drops dramatically, the country's tax revenue also drops dramatically. So I do not think we are going to get a lot of money from that.

One way for it to happen and would be a result more pernicious than many have thought about would be where we would basically debase the currency. We would weaken the value of the dollar. So you borrow \$100 billion from somebody, and you pay them back \$100 billion, but you printed a lot more dollars, so the dollars they get paid back are less valuable than the ones they gave you when you borrowed it. That is a pretty slick deal, isn't it? That is what you call inflation. There are huge ramifications from that kind of policy that are very damaging to the long-term health of America. We do not need to debase our currency. That is why the price of gold jumped. People get scared the dollar is not going to be worth anything.

So I think the debate we are about to begin is really about individual responsibility and governmental responsibility. We do need to resist the cries of many who have self-interests in this stimulus package.

I heard one prominent businessman make a speech recently. He said: We are going after this money. Well, if we put it out there, every business is going to go after it and be happy to get it. So we have to be responsible. We need to scrutinize it. We need to act in the long-term interests of America.

I believe Congress so far has not done well in responding to the economic crisis we are going through. I think everybody pretty well universally has agreed that the \$160 billion send-out-the-checks program did not benefit the economy. I heard a group of well-known economists recently agree that the first \$350 billion—remember, the entire Iraq war has cost us \$500 billion—that \$350 billion in the first tranche of money that has gone out has not helped the economy. So I think we have to be careful. I hope Congress will not fail our constituents again, by making sure that the fiscal illness we are living with now does not damage our children.

I know people are hurting. I know people are worried that their job might not exist in the months to come. If you are working at the clothing store, I am not sure some of these jobs are going to be that helpful to you. But at any rate, that is the kind of thing we are dealing with. People are worried. We are going through a serious downturn. As the CBO expert told us, we are going to come out of this in 2 years, in his opinion—and he was firm about it—whether we did anything or not. He said a stimulus package might help. Another member of the panel said, well, it

should help, but neither one said it was critical to us coming out of the recession.

So whatever we do, whatever monies we spend—and I am not against every idea for stimulating the economy—let's just be sure it is productive. Approving \$1 trillion in deficit spending could do more harm than good if we don't do it right.

It is time that we as a Nation stop living beyond our means. We need to get our house in order. We need to know there is no free lunch; that debts will have to be repaid one way or the other—raising taxes, cutting spending in the future, debasing the currency. That is basically the way we can reduce the debt, and those are the only ways we can. We are putting a burden to the future. I know some money invested now might make a positive difference. Let's talk about that and let's see what we can do. But the numbers being floated out and the rapidity with which the program is being proposed creates in my mind a great danger that much of the money will not be stimulative, as it has failed to be in the past, and that much of it will not produce the kind of tangible benefit to which the taxpayers are entitled.

Madam President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

#### CONGRATULATING THE FLORIDA GATORS

Mr. NELSON of Florida. Madam President, the task happily falls to some of us Senators each year in which we can chronicle the success of the national champion in college football. Of course, there were tens of millions of Americans watching TV last Thursday night as the No. 1 and No. 2 teams ranked in the country in college football played for the BCS National Championship. Of course, in that game, with two high-powered offenses, the University of Florida Gators prevailed.

I will be offering a resolution for the Senate to pass to present to the University of Florida and to its coach and to the team. They will be coming here for the traditional visit to the White House to visit with the President later on this year. I am joined—although the Senate rules prohibit Albert the Alligator from appearing on the floor of the Senate, and as my colleague, the Senator from Alabama, over there is giving the Gator chomp, the University of Alabama rolling tide having been the victims of the Gator chomp in the SEC championship game—I make note that Albert the Alligator, the University of Florida's mascot, is safely ensconced back in the cloakroom since the alligator is not allowed onto the floor of the Senate. But all of us are celebrating this tremendous victory.

I also wish to mention that since the BCS National Championship rotates among the major bowls, this year it was the turn for the Orange Bowl to have not only the Orange Bowl on January 1 but then the national championship game. The entire Orange Bowl

Committee, of which the two Senators from Florida are privileged to be ex-officio members, had conducted such a magnificent event, had done it with great aplomb and excellence, great hospitality to the two teams involved, to the university administrations, and it was all around a very positive experience.

For the national champion Gators, I wish to quote a couple of articles. From the columnist Greg Cote and the Miami Herald:

The Gators flat-out won this game and this title, and all the more impressively because it was less by quarterback Tim Tebow's magic (though he was voted game MVP) than by his defense defusing the other team's epic offense.

Then I quote from the columnist of the Gainesville Sun, Robbie Andreu:

The Florida Gators apparently were right after all. Oklahoma obviously had not seen a defense like Florida's this season. And Tim Tebow? There's no way he is the fourth-best quarterback in the Big 12. With the defense coming up with critical stops when it had to, and with Tebow, Percy Harvin and the offense generating points when the game was on the line, the Gators were clutch in the second half and beat the Sooners 24-14 Thursday night at Dolphin Stadium to give Florida its third national championship, and second in three years.

Coach Meyer is quoted:

This is one of the best teams in the history of college football.

So we celebrate that.

Now, since we are dealing with these weighty problems and here we are taking up a stimulus bill—we are taking up this TARP legislation this week—it is good to have a little levity. Indeed, before this game, I went to the Senator from Oklahoma, Mr. COBURN, and I said: Would you like to have a little friendly wager?

What we decided was that the losing team's Senator would sing a song in front of the winning Senator's constituents, and we agreed in advance that the songs would be that I would sing "Oklahoma" if the Sooners won, and Senator COBURN would sing "Rocket Man" by Elton John—a favorite of this Senator—if the Gators won.

So next Wednesday, 2 days from now, circa noontime, we are going to have a gathering of Florida constituents for Senator COBURN and me. I suggested to Senator COBURN that I would even graciously sing a few bars of "Oklahoma." Also, if he couldn't follow the words—and we are going to play "Rocket Man" for him—if he couldn't follow the words, clearly we could sing a few bars of the Florida alma mater, the Florida fight song, "We Are The Boys From Old Florida."

It is good to have this levity. It is good to have a wholesome sport that is uniquely American that we can get enthused about. It is good that we have athletics that add so much to a university setting, that bring out more of a university personality in addition to the studies, the academics, and the research we are so privileged to have in our American universities.

So, indeed, this Senator is here to say: All hail, Florida, which comes from the alma mater. All hail, Florida. This time, again, the Gators are the national champions.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

The Senator from Michigan.

#### ECONOMIC STIMULUS

Ms. STABENOW. Mr. President, I wish to take a few minutes this evening to respond to some of the comments that we have been hearing from colleagues on the other side of the aisle expressing great concern about the spending of a recovery package for America, as we are talking about today.

I find it quite extraordinary when I hear colleagues talking about objecting to spending Federal dollars right now—Federal dollars that would add to the deficit—given where we have come from in the last 8 years. I find it quite extraordinary.

I remember back when I was in the House of Representatives, serving with the distinguished Presiding Officer, when in 1997 we took some very tough votes and did a lot of hard work under President Clinton. Actually, we balanced the budget for the first time in 30 years. That put us on a course to eliminate the deficit, to strengthen the country, to create the right kinds of priorities for the American people.

As a result of that action, in 2001, when I came into the Senate as a new member of the Budget Committee, we were debating what to do with the biggest surplus in American history, \$5.7 trillion. How should we address the largest surplus we had seen in the Federal budget. At the time, the Democrats on the committee proposed that we divide that surplus into three parts: one, for tax cuts geared to the middle class; two, for investments to create jobs, invest in education, and future opportunities; and three, to help strengthen Social Security. That was rejected. Instead, as we all know now, a very large supply-side tax cut, trickle-down economics, was passed. My constituents, in January 2009, are still waiting for it to trickle down to their pockets. But that was put in place, which began a process that has now led us to the highest deficits in the history of the country in just 8 years. That was coupled with a war that was not paid for, over \$10 billion a month, and certainly the most important thing has been the loss of life. Then we saw just at the end of the year an effort to provide \$700 billion in what has been dubbed the bailout of Wall Street—to date, I suggest, not very effective and

at times outrageous in terms of what has happened with that money.

So it is not that the Federal Government has to spend money, it is not that colleagues on the other side of the aisle have not supported spending. They supported spending for 8 years. The question is, What are we going to spend it on and for whom? Many Americans have seen their standard of living go down, their jobs go away, their houses go away, their opportunities go away, while some have done very well under a particular kind of spending over the last 8 years. What I suggest is this is not about whether we spend or invest or use Federal dollars; it is about our values and priorities. In whom are we going to invest? Where are we going to spend the dollars? I have had so many people in Michigan say to me, with all the debates going on: Where is my bailout? I am sure you heard that, Mr. President: Where is my bailout? Small business owners: Where is my bailout? Individuals. I suggest what we are debating is the American people bailout, the investment in America.

The people of this country have resoundingly rejected the policies of the last 8 years that have gotten us to where we are today. That is what elections are about. People have said very loudly: We don't want the same policies; we don't want the same people espousing the same policies going forward as we have seen in the last 8 years.

Where have those policies over the last 8 years gotten us? Over the last 8 years, we have not seen a commitment to manufacturing in this country. Some people say that is only a narrow special interest for a certain number of States in the country. I suggest it is a foundation of the middle class in this country. The fact that we have lost 4.1 million manufacturing jobs due to the policies of the last 8 years—750,000 of those jobs just last year—that totally relates to where we are in terms of jobs in this country, what is happening in this country, and what is happening to middle-class people. The economic activity in the manufacturing sector has fallen to its lowest level in 60 years. That absolutely equates to the challenges we are currently having in this economy.

In 2008, 2.6 million jobs just in general were lost, the worst year since 1945—8 years of policies put forward by the current administration and supported by many people who have been on the floor since we came back into session arguing we should not do something different; we should not try a different kind of investment policy; we should not focus on jobs in America, the middle class, and so on; we should keep doing it the way we have been doing it. That is basically what we are hearing on the floor, the same kinds of things that have gotten us to these numbers—1 million jobs lost last month. Last month, 1 million Americans. As of December, 11.1 million people were unemployed. And we wonder

why they cannot pay their mortgages and their homes are going into foreclosure. The jobless rate is the highest in 16 years, and we know it is not going to get better quickly. We know at least the first half of this year—possibly the entire year—is going to be very tough. We know that. But common sense would say that we do not embrace the same policies that have gotten us to this point if we want to get out of the hole.

It is exciting that next week we are going to swear in a wonderful new President who has policies, working with us, working with all of us together, that will stop digging the hole and begin to bring us out of the hole, even though we know it is a deep hole, and he has certainly stressed that, wisely, with the American people. We are going to begin to come out of this hole.

Over and over again in the last week, we have been hearing colleagues objecting to a change in economic policy and proposing the same old thing. The same old thing has put us in a situation where the U.S. median home price fell 13 percent in the last year, which is the fastest pace since the 1930s. That is what the kinds of policies we are hearing on the other side of the aisle have achieved.

Mr. President, 3,100 foreclosures happen every day. Today, as we have been in session, 3,100 families have seen their homes foreclosed upon. Tomorrow, there will be another 3,100 families; the next day, 3,100 families. That is what the policies—action and inaction—of the last 8 years have done. One in ten homeowners with a mortgage is either in foreclosure or delinquent on payments.

Pension plans, if you are fortunate enough to have had a job, worked hard all your life, and put money into a pension—maybe you did not take a pay raise in order to make sure you had that pension—have suffered their steepest 1-year drop in 20 years. The average pension fund now is holding assets that would cover only about 75 percent of what had been promised to workers.

I could go on and on with the numbers, and you know them as well. The good news is the American people have looked around at what has happened, the trickle-down economic policies of the last 8 years—the idea that we can't afford to invest in education for the future or health care or focus on jobs for the future—they have looked at those policies and said, no more, no more, We have had enough.

So that brings us to this point, and we will have the opportunity in the next few weeks to bring forward an economic recovery plan that focuses in a very different way. If we are going to do tax cuts, we want tax cuts for middle-class families and those working hard to get into the middle class to benefit from those and that is the policy we will see coming forward.

We are going to see policies that will create jobs rebuilding America. I have

heard colleagues on the other side of the aisle saying: Oh, my gosh, they want to not only talk about roads and bridges and water and sewer systems, but they want to talk about broadband—the idea of connecting rural communities and small businesses to the Internet so they can sell around the world, just like big business does. Oh, my goodness, you mean they want everybody to have access to the Internet, not just some people? Yes, that is true. We believe the new highway, the information highway, that power needs to be available to every child, to every small business, to every farmer at the end of the road. Just as we built the electricity systems, the telephone systems of the past, we need to make sure we are building for the future in America so everyone has access to these new technologies to have opportunity for jobs and income and education.

I am also very involved in making sure we can computerize our health care system so we can cut costs from unnecessary paperwork; that we can also provide the very best quality of health care in every hospital, large and small, whether you live in a small rural area or an urban hospital is where you would go or a suburban hospital.

We need to focus on jobs rebuilding America and reinvesting not only in the upfront construction jobs but in what that will mean to the assets that will be there afterwards, which is very much a part of this recovery plan. We know we want to see alternative energy jobs, and certainly I am very involved in the whole effort to create green jobs. I am very proud that last year in the budget resolution we included my green-collar jobs initiative, which now our new President-elect and his team are working to fund as a part of what we need to do to create the new battery technology. This is not just the research but to build the batteries here in the United States; and not only to have wind energy but to build the wind turbines here and create the jobs; and not only to have the solar power but to build the solar units or the solar panels, to have the equipment, to have the storage from the batteries all done here. That is a part of our vision for a recovery package for the future.

Because I have been working so closely with advanced manufacturing in the auto industry, I know an interesting statistic is that if everyone had an electric car today—and we would certainly like that to happen from an environmental standpoint—we would blow up the electrical grid in this country, poof. We would be in deep trouble. So part of what we need to have happen is to upgrade so we have a better electric system to be able to handle those new vehicles. We need to create a new kind of infrastructure so that when you pull up in your vehicle, which would get 40 miles per—what shall I say? It is not 40 miles per gallon because it is not a gallon. It is 40 miles on the road to a

charge. Wouldn't it be great to be able to pull up and charge it in a parking lot or at a parking meter as you went into the store?

There are so many ways we need to build and rebuild America for this new technological world we are in, this new green alternative energy world we are in. That is our hope: Jobs, rebuilding America, and building for the future. We not only can achieve very important goals of energy independence and tackling in a real and meaningful way the serious issue of global warming, but we can create jobs in America, good-paying jobs in America. That is what this recovery plan does, and I am very excited to work with the incoming administration and to see their vision and their commitment to working with us.

There are so many pieces of this that will be addressed. I will mention one other, and that is when I talked earlier about the numbers regarding unemployment and housing and pensions and what is happening to people, we have seen now close to a decade—8 years—of neglect, of not paying attention to those who have been hurt by the policies that have been in place. So it is very important that we, in fact, recognize that we have more people out of work than there are currently available jobs—people who have worked all their lives, people who want to work, who recognize the dignity of work but in the short run need some help. Part of this package needs to address this as well, whether it is unemployment insurance, whether it is food assistance, whether it is help with health care during a transition or whether it is addressing those who have lost their jobs because of trade. Those priorities represent the best of America and who we are, our real values and priorities as Americans, understanding that we are in a global economy and that transition, at best, even if everything was going well, even if every policy was going well, has created pain and suffering for those caught in the middle.

Unfortunately, because of a series of policies, whether it is not enforcing our trade laws fairly, whether it is not addressing health care or seeing the cutbacks in education, and so on, too many people have been hurt and need some help. Too many people have been hurt in the last 8 years. So a very important part of this recovery plan as well is to make sure those families know we see them, we hear them; that, as Americans, we care about them and want to make sure they have the temporary assistance they need while we are creating these jobs in the new economy.

There is a lot of work to do, as we all know, and I would conclude by saying that while we may not know how long it will take for us to move out of this deep hole we have been placed in, in terms of job loss and deficits, and so on, here is what we do know: The same thing has been tried for 8 years and things have only gotten worse every

year. So those who would argue that we should have more of the same I think find themselves in a difficult position because the American people want change. They have voted for change, and they expect us to change the values and the priorities of this country so that we are, in fact, investing in our people and in a strong America again.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that all postcloture time on the wilderness bill be yielded back.

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

Without objection, the motion to proceed is agreed to.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 22) to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of Interior and the Department of Agriculture, and for other purposes.

AMENDMENT NO. 15

Mr. REID. Mr. President, I have an amendment at the desk. I now ask that the clerk report the amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 15.

The amendment is as follows:

At the end insert the following:

The provisions of this bill shall become effective 5 days after enactment.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

AMENDMENT NO. 16 TO AMENDMENT NO. 15

Mr. REID. I now call up my second-degree amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 16 to amendment No. 15.

The amendment is as follows:

In the amendment strike "5" and insert "4".

Mr. REID. I now move to commit the bill with instructions and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second on the motion?

There appears to be.

The yeas and nays were ordered.

AMENDMENT NO. 17

The PRESIDING OFFICER. The clerk will report the motion to commit.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Energy and Natural Resources Committee with instructions to report back forthwith with the following amendment numbered 17:

The amendment is as follows:

At the end, insert the following:

This title shall become effective 3 days after enactment of the bill.

AMENDMENT NO. 18

Mr. REID. I have an amendment to the motion at the desk and I ask that it now be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 18 to the instructions of the motion to commit S. 22.

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

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

The amendment is as follows:

In the amendment, strike "3" and insert "2".

Mr. REID. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

AMENDMENT NO. 19 TO AMENDMENT NO. 18

Mr. REID. I now call up my second-degree amendment which is also at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 19 to amendment No. 18.

The amendment is as follows:

In the amendment, strike "2" and insert "1".

CLOTURE MOTION

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

The PRESIDING OFFICER. 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, do hereby move to bring to a close debate on S. 22, the Omnibus Public Land Management Act of 2009:

Harry Reid, Jeff Bingaman, Richard Durbin, Dianne Feinstein, Bernard Sanders, Jon Tester, Tom Harkin, Kent Conrad, Byron L. Dorgan, Barbara Boxer, Debbie Stabenow, Daniel K. Akaka, Ken Salazar, Mary L. Landrieu, Ron Wyden, Patrick J. Leahy, Robert Menendez, Bill Nelson.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

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

#### 25TH NATIONAL COWBOY POETRY GATHERING

Mr. REID. Mr. President, I rise today to recognize the 25th National Cowboy Poetry Gathering, which is held every January in Elko, NV.

For 25 years, the National Cowboy Poetry Gathering has been providing a forum for the expression and celebration of the artistic spirit of those that live and work in the rural West. Through both traditional and contemporary forms, this gathering has showcased dancers, filmmakers, musicians, storytellers, and poets—each contributing their experience of the western lifestyle. From urban areas to rural ones, people from across the country gather in Elko every year to listen to and experience the artistic soul of the authentic cowboy.

The first cowboy poetry gathering was held one weekend in January in 1985. It drew a crowd that included frontier enthusiasts as well as skeptics who questioned whether cowboys could also be poets. After that first gathering, the poetic nature of the cowboy could no longer be doubted, and what started as a small weekend event eventually transformed into a weeklong cultural excursion that draws thousands of visitors and participants from across the globe. It has reinvigorated interest in preserving and spreading the cowboy narrative, inspiring other communities to hold similar events throughout the West.

The National Cowboy Poetry Gathering has created an environment that contributes a wealth of riches to our shared western heritage. In January of 2009 the Western Folklife Center in Elko will host its 25th gathering. I would like to congratulate them on this achievement.

#### TRIBUTE TO SENATOR ROBERT BYRD

Mr. COCHRAN. Mr. President, I am pleased to join with my colleagues in congratulating Senator ROBERT BYRD on his 50 years of exemplary and distinctive service in the U.S. Senate.

Senator BYRD is a distinguished Member of the Senate and has served in many important positions of responsibility in this body during his tenure as Senator from West Virginia. He has served as minority and majority leader, as chairman and ranking member of the Appropriations Committee, and as President pro tempore of the Senate.

It has been a great privilege to serve with Senator BYRD on the Appropriations Committee. I have learned so much from him since joining this committee in 1981. Senator BYRD has been a good friend as well as a mentor. It has also been a great pleasure to serve with him on the Homeland Security Appropriations Subcommittee, which we have both chaired.

I look forward to continuing to serve with him in the coming years.

#### GAZA

Mr. BAYH. Mr. President, I rise today to commend Majority Leader REID and Republican Leader MCCONNELL for introducing S. Res. 10, an important piece of legislation which reaffirms unwavering support of the United States for Israel and Israel's right to defend itself and protect its citizens. Hamas' unwillingness to renounce violence and recognize Israel's right to exist is the central impediment to achieving a lasting peace between the Israelis and Palestinians. I stand strongly with the people of Israel in their efforts to cope with the terrorist threat from Hamas. No nation can be asked to endlessly turn the other cheek when its people are subject to indiscriminate, unprovoked, and lethal missile strikes. Like all people, the citizens of Israel have the right to live safely within secure borders.

While the responsibility for the current violence rests with Hamas, both sides must take every possible step to avoid harming innocent civilians. Furthermore, both sides must work towards a durable and sustainable ceasefire that prevents Hamas from rearming and improves the daily living conditions of the people in Gaza.

The current bloodshed in Gaza is also a grave reminder of Iran's role in arming, training, and assisting extremist groups like Hamas. The Iranian regime is the world's most active state sponsor of terrorism. The current violence further underscores the importance of using aggressive sanctions to deter the Iranian regime from taking future actions that destabilize the region and threaten our democratic allies.

We have learned as a nation that terrorism and the advocacy of extremism are not distant problems but those which we must confront vigilantly. Terrorism has no geographic boundaries. We must continue our efforts to confront Islamic extremism and to eliminate terrorists' ability to strike against the United States and our allies. Therefore, I wholeheartedly support S. Res. 10, which underscores our Nation's commitment to help provide for Israel's security and to encourage a lasting and secure peace in the Middle East.

#### NO OIL EXPORTING AND PRODUCING CARTELS ACT

Mr. SPECTER. Mr. President, as our economy sinks further into recession, OPEC, which controls about 40 percent of the world oil supplies, has announced its biggest single production cut ever. As a result, since December 17 when the cartel announced its record production cuts, oil prices have risen 40 percent.

For decades, the members of OPEC have conspired to manipulate oil prices by limiting the number of barrels sold.

U.S. antitrust laws explicitly prohibit conspiracies in restraint of trade, which include agreements to cut production in an effort to cause prices to rise. Cartel activity by OPEC members clearly violates U.S. antitrust laws.

Unfortunately, OPEC members have escaped liability for their antitrust violations. The Foreign Sovereign Immunities Act makes foreign states liable under U.S. law for their commercial activities but not their governmental activities. In *International Association of Machinists v. OPEC*, a California district court held that OPEC's cartel activity was governmental activity, not commercial activity, and was therefore immune from the antitrust laws. On appeal, the Ninth Circuit affirmed.

These court decisions were wrong. Government-owned companies engaged in purely business activities are subject to the antitrust laws.

That is why Senator KOHL and myself as well as nine other cosponsors are reintroducing the No Oil Producing and Exporting Cartels Act, or NOPEC. The legislation reverses these court decisions, making it clear that cartel activity OPEC is commercial activity that is subject to the antitrust laws. NOPEC also makes it clear that OPEC members are subject to the jurisdiction of U.S. courts.

Applying antitrust law to foreign conduct is consistent with current law. In *Hartford Fire Insurance Co. v. California*, the Supreme Court held that U.S. courts have jurisdiction over antitrust suits involving foreign conduct by foreign actors if the conduct has substantial effects in the United States. Clearly, OPEC's cartel activities have substantial effects in the United States.

The Justice Department has over the years prosecuted many foreign cartels in a myriad of industries, including vitamins, marine hose, liquid crystal display panels, textiles, construction, food, chemicals, graphite electrodes, ocean shipping and fine arts auctions. Indeed, over the past decade, around half of the corporate defendants in cartel cases brought by the Justice Department have been foreign-based. In the vitamins case, for example, the Justice Department successfully prosecuted a cartel of foreign vitamin manufacturers that held meetings abroad to allocate market share and set prices—just like OPEC. In many of the cases involving foreign cartels, foreign executives have been extradited to the U.S. to serve significant prison sentences.

Critics have argued that NOPEC would harm U.S. relations abroad or discourage foreign investment in the United States. However, NOPEC leaves the decision to prosecute OPEC members in the hands of the executive branch by giving the Justice Department sole authority to prosecute.

NOPEC enjoys strong bipartisan support and has since its first introduction back in 2000. The Senate Judiciary