

the last decade, to change the rules so they could go from 12 times leverage to 30 times leverage, and they did it with almost no notice from everybody, with all these handshakes that go on.

When that goes on and regulators say: You know what. Don't worry. It is going to be a new business-friendly place. We won't look. Do what you want. We don't care—when that all happened and it caused the near collapse of the American economy and our way of life, we have a right, it seems to me, without being called antibusiness, to say there needs to be effective regulators and regulations to make sure this doesn't happen again.

Fifteen years ago, I wrote the lead story for the Washington Monthly magazine, and the title was "Very Risky Business." That was the lead story in the Washington Monthly magazine that I wrote 16 years ago.

What was it about? It was about banks in America trading derivatives on their own proprietary accounts. I said then that we just as well put a blackjack table in their lobby. That is just gambling. We ought not allow it. We know who is going to pick up the bill—the American taxpayer.

It was 11 years ago on the floor of this Senate that I stood up and opposed repealing the laws from the Great Depression—Glass-Steagall and others—that were put in place to protect our country, that separated banking from securities and prohibited certain practices that led to the Great Depression. Then, all of a sudden, it is time to modernize; that is old-fashioned. The proposal to repeal those laws went through here like a hot knife through butter. Eight of us voted no—eight of us. I stood on the floor of the Senate and said: I think within a decade we are going to see massive taxpayer bailouts. I did not have a crystal ball; I just felt this was an unbelievable mistake.

The fact is, we have a right and a responsibility to put together effective regulatory mechanisms that will prevent this from happening again. I understand there are interests out there that will howl so loud, you will hear them coast to coast. It does not matter. This is about what is best for the American people, what is best for this country's economy to expand and create jobs once again.

The to-do list, as I indicated, is fairly lengthy. I have not touched a number of issues. The most important point, obviously, is to find a way to create new jobs.

As I indicated, it is like a bathtub where you have a faucet and a drain. The faucet is, we need to try to create conditions in which new jobs will be created. How do we do that? We give people confidence about the future. It is hard to have confidence when you take a look at the economic circumstances of this country right now. If people are confident, they do things that manifest that confidence and the economy expands. That is our responsibility to do.

Even as we try to provide more confidence, that means tackling tough issues that will give people a feeling that they can expect a better future, can make investments, can hire people. That is part of the faucet—to put new jobs into this economy. We also need to plug the drain. Every single day, we have jobs leaving for China and elsewhere in search of cheap labor. I have spoken about that many times as well. As I said, I have written a book about that.

We need to work on all of those issues, and jobs has to be issue No. 1. It is the most important issue. It makes everything else possible for the American people. Right now, as I speak, there are millions and millions of people who are out of work. Million Americans have lost their jobs just in the manufacturing area in the last 8 years. We are short somewhere perhaps in the neighborhood of 18 to 20 million jobs in this country. We have to get the engine moving again. We have to get opportunities to expand jobs all across this country. There is a lot to do to make that happen.

#### TRAVEL TO CUBA

Mr. DORGAN. Madam President, while I am on the floor, I wish to make a point about another piece of public policy I have worked on for some while.

The House of Representatives last week passed legislation through the Agriculture Committee that would lift the travel ban that is now imposed on American citizens to Cuba. I have been to Cuba and have met with the Cuban Government, dissidents, people who have been in prison. It is 90 miles off our shore.

There is an embargo on Cuba and a travel ban to Cuba. This chart shows the ten U.S. Presidents under which this embargo has existed. As one can see, a fair number of Presidents have come and gone while this embargo and travel ban to Cuba has been in place.

The problem with it that I see is this: This embargo is and has always been Fidel Castro's biggest excuse.

Your cities are falling down, your economy is in trouble, things are awful in Cuba.

His response: Yes. That is because this 500-pound gorilla has had its fist around our neck with an embargo for 50 years. You try to run this country.

It is his biggest excuse.

Cuba is a Communist country. I have no interest in doing anything that is helpful to the government at all. I do have an interest in trying to help the Cuban people.

Deciding to tell the American people: We will restrict your right to travel; we are going to infringe on your freedom; our government says you cannot travel, American citizen, to Cuba—I think that is unbelievable. By what right does our government say you cannot travel to Cuba?

Let me show where Americans can travel. It is perfectly appropriate, if

you can get a visa, to travel to Iran, according to the Office of Foreign Assets Control in the Treasury Department.

OFAC, by the way, in the basement, the deep bowels of the Treasury Department, are supposed to be tracking money to terrorists. But about a fourth of their resources are devoted to tracking American citizens who are suspected of vacationing in Cuba. Think of that. In a world beset by terrorist threats, we have folks who are trying to figure out: Are there American citizens who have gone to Cuba whom we can track down and against whom we can levy a \$10,000 fine?

You can go to Iran, OFAC says. That is not a problem. You are an American citizen and you want to go to Iran, that is OK.

If you are an American citizen and you would like to see Kim Jong Il while he is still in office, you can go to North Korea. That is not a big deal for OFAC. If you want to go to Communist North Korea, no problem at all.

You want to go to China, a Communist country? Not a problem. You want to go to Vietnam, a Communist country? That is no problem. I have been to both, by the way. Why have we said that about Vietnam and China? Because we have a very specific policy with respect to that issue. We have said we believe that engagement through trade and travel is the most effective way to move both China and Vietnam toward greater human rights. Let me say that again. Our official policy—Republicans and Democrats—has been that we believe the most effective way to move China and Vietnam—Communist countries—toward greater human rights is through trade and travel through engagement. Engagement. The only outlier to that is Cuba, which is 90 miles off our shore. And Fidel Castro pokes his finger in our eye every chance he gets.

We decided some while ago—many Presidents ago, actually—to put together an embargo, which has not worked at all, which includes restricting the American people's right to travel. Then in 2003, leading up to the elections in 2004, President Bush made this even tighter. He eliminated people-to-people visits in 2003; eliminated secondary school education travel; restricted family travel to once every 3 years; restricted amateur athletic travel. Essentially, he tied it very tight. The upshot of that was, I guess they all felt good that they were going to tighten restrictions around Cuba and tell those Cuban Americans who felt that is the right thing to do that this was something the administration was going to do to be helpful to them.

Here is what the Office of Foreign Assets Control says about travel to Cuba. I just described that North Korea is fine and travel to Iran is fine, China and Vietnam are fine. They say:

Unless otherwise authorized, any person subject to U.S. jurisdiction who engages in any travel-related transaction in Cuba violates the regulations.

Let me describe some of these notorious violators our government has tracked down and tried to levy a \$10,000 fine against. This is Joni Scott. I have met Joni Scott. She is holding a Bible in this picture. The reason Joni Scott is holding a Bible is this young woman went to Havana to pass out free Bibles. An American woman went to Havana to pass out free Bibles. What happened to her? Did the Cuban Government get ahold of her somehow and give her a bad time? No, no. The American Government did. The American Government tracked her down and tried to levy a fine because she was suspected of traveling to Cuba. Isn't that something? It is unbelievable.

Here is another woman I have met. This is Joan Slote. She is a bicyclist. She is a grandma in her midseventies. She joined a Canadian group to bicycle in Cuba. Her government then tracked her down and not only tried to fine her \$10,000 but tried to attach her Social Security payments and take them away—this from her government. It is unbelievable.

Then, finally, SGT Carlos Lazo, whom I have described before. He fled Cuba and then went to Iraq and fought for America and was awarded a Bronze Star. He then came back to America after having fought for his country. He had two sons in Cuba, one of whom was sick, and his government—the American Government—told this Bronze Star medal winner, a very courageous soldier coming back from the war, that he was not able to visit his sons. They restricted his right to travel.

Here is the point. The point is, the U.S. House of Representatives, through the Agriculture Committee, has now passed legislation that eliminates the restrictions, eliminates the things done by the previous administration to try to stop shipment of food to Cuba. I believe we have the votes in the Senate to move that position as well.

I actually offered the amendment about 10 years ago in the Senate that is now law that opened for the first time the ability to ship food and medicine for cash to Cuba. I just felt it was immoral. I think it is immoral to use food and medicine as a weapon, and that is what we are doing, including food and medicine as part of the embargo. I offered the amendment. It is now law. We shipped a couple billion dollars' worth of food to Cuba, all paid for in cash. But the previous administration decided to change the rules and required payment before shipment as opposed to payment when the goods transferred. That was an effort to try to shut down agricultural sales to Cuba. The House has changed that. We would do that as well. It is important to take this action. I was pleased last week when I read what the House of Representatives did. I think it is the right thing to do.

Here are pictures of who else believes we ought to lift the travel ban. Marcelo Rodriguez does. He is a political prisoner in Cuba. Yoani Sanchez does. She is one of the leading political bloggers

in Cuba. Guillermo Farinas, who has staged several hunger strikes in Cuba, believes we should lift the travel ban. Oscar Chepe, a former political prisoner, and his wife Miriam Leiva, the founder of Ladies in White, believe we should lift the travel ban.

They are among 74 Cuban human rights activists who sent a letter to the House of Representatives saying they believe we ought to lift the travel ban.

I have visited with the folks in Cuba who are political dissents. They do not like their government. They are doing everything they can to get a new government, a better government. But they also believe this embargo and the travel ban does not serve their interest.

I believe that at some point, when it is appropriate, we will be able to do in the Senate what the House Agriculture Committee has done; that is, lift the travel ban and undo some of the detrimental things that were done as well in the tightening in 2003.

I and Senator ENZI, along with 38 other cosponsors—that is 40 Senators—have cosponsored legislation that would lift the travel ban to Cuba. I believe when we have the opportunity, Senator ENZI and I will offer that bill here on the floor, and I believe we will have the votes to pass it in the Senate.

Once again, it is unthinkable to me that we have decided we are going to try to punish the Cuban Government by restricting the rights of the American people. And we have done it for almost 50 years. By what authority, by what justification do we believe the Federal Government ought to tell the American people: You can travel wherever you want in this world. Go to Iran, go to North Korea, China, Vietnam. But you cannot go to Cuba. By what justification does the government have the right to restrict that right of the American people? The answer is, none, and it is long past the time we fix it. That is what I believe we will do in the Senate in the weeks ahead.

Madam President, I yield the floor and 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. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### FAA REAUTHORIZATION

Mr. DORGAN. Madam President, in 2 minutes or so, let me talk briefly about the FAA reauthorization bill, which we have passed out of the Commerce Committee and out of the full Senate—it passed 93 to 0 here in the Senate. Senator ROCKEFELLER and I, Senator KAY BAILEY HUTCHISON and others, are working very hard to try to negotiate an opportunity to get a report that we can bring back to both the House and the Senate to get this done.

The reason this is urgent and so important is the modernization of our air traffic control system is long overdue and there is so much that is needed in this FAA reauthorization bill. It deals with safety issues. As chairman of the Aviation Subcommittee, I held a number of hearings on the Colgan crash in New York—the tragic crash that took the life of so many. So I wanted to make a point, because I know people are wondering what is happening on that legislation.

We had a meeting yesterday for over an hour. We are going to have another meeting this week. We had a meeting the week prior to the break last week. We are working very hard to try to find a way to bridge the gap. I think we are very close to being able to get something we can bring back to both the House and Senate. My hope is that early in this work period we can get this done. I talked to Senator ROCKEFELLER late last night by phone after our meeting in the afternoon. So Senator KYL and many others have been involved—Senator WARNER.

This is a very big piece of legislation. Changing our air traffic control system, modernizing our system from a ground-based radar system to a GPS system is a big, challenging project, but we have to get at it. This bill has languished way too long. We have reauthorized it many, many, many times. Now it is time to get the legislation done and get it signed by the President.

We are working very hard, and I hope in the next week or two Senator ROCKEFELLER and I and Senator HUTCHISON and others can come to the floor and report success and bring a bill to the Senate to vote on.

#### KAGAN NOMINATION

Madam President, let me also finally say—I didn't mention it earlier—that the Kagan nomination is going to come to the floor during this work period, I am sure. I strongly support the Kagan nomination and intend to vote for her nomination. I think she is an awfully good nominee. I know many of my colleagues will be doing so as well. I fully expect her to pass the Senate quite easily. I would expect the nomination to be approved quite easily.

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.

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

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

#### IMPROPER PAYMENTS

Mr. CARPER. Mr. President, only this morning I was standing here and the Senator from New Mexico was presiding over the Senate. I got through half of my remarks and had to yield to