

No. 1 priority, as they should be. Instead, partisan politics appear to be the No. 1 priority, and those children appear to be something left behind.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I ask unanimous consent for the rest of the Democratic time in morning business.

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

REPUBLICAN OBSTRUCTIONISM

Mr. MENENDEZ. Mr. President, right up the street from here, right up Pennsylvania Avenue, is the White House. It is not far, a little over a mile. But what has been made abundantly clear over the past 10 months since Congress changed hands, what has been made abundantly clear is that when it comes to the priorities of the families of this Nation, when it comes to the values they hold, the distance between here and the White House is many miles.

Americans have seen for themselves what we in Congress want to do for them. They have seen some truly meaningful and landmark initiatives achieved on behalf of American families: The 9/11 Commission bill, bringing security to all our communities; the most sweeping ethics reform in a generation, extracting lobbying influence from the policies that affect all of us; the first increase in the minimum wage, the first raise for American workers in more than a decade; and the most significant college affordability package since the GI bill, because we recognize that a good education is the great equalizer.

But that is not all we are trying to do for middle-class Americans, for working Americans, for families in this country. That is the tip of the iceberg. We want to help American families by investing in security, education, and health care, and we have legislation to do that. Yes, there will be plenty more ideas, plenty more initiatives, plenty more investments in the people of this country whom we stand together to support but only to have the President and his friends in Congress block our progress.

Time after time, a majority of the Members of this body have lined up behind truly important legislation, only to have the President take out his veto pen or our Republican colleagues in the Senate strike up a filibuster.

Yesterday I saw President Bush, flanked by some of his top allies from Congress, complaining about what he claims Congress has not done this year. It takes a lot of nerve for the President to say that, when he received from this Congress landmark security legislation, landmark education legislation, landmark ethics reforms, and the first minimum wage raise in a decade. He signed them all into law, all within 10 months.

It takes a lot of nerve for President Bush to say we are wasting time, when

he, along with his allies, has refused the children's health legislation, stem cell research legislation, and legislation to change the course in Iraq.

I know it is Halloween, but the legislative graveyard for which the President is the grim reaper is not a trick or a treat. It is downright scary that the President can be so disconnected from the values and hopes of mainstream America.

Ask the American people: What would they rather us do in Washington—stand up for lifesaving research, lower energy costs, get our troops out of Iraq or kill initiative after initiative that would benefit American families? In Congress, we are going to try to give the President what we call in golf a mulligan on one of the most important investments we can make in our country, the health of our children. The first time, he vetoes it, sending the message that millions of children who have nowhere else to turn are unworthy of a strong Federal commitment.

We believe that is fundamentally wrong. The President has to choose if he is going to sign it into law or again write a big "no" on an investment in America's children. This is a President who says, no, no, no, when it comes to investing in our families, but yes, yes, yes, when it comes to more troops, more time, more money for his stay-the-course plan in Iraq.

This is a President who does not see the irony in sticking out the one hand to ask for \$200 billion for Iraq this year, while using the other hand to veto health coverage for poor American children. This is a President who has no problem with killing a child's health bill that would have been paid for with 3½ months of Iraq funding. This is a President who says: We are fighting them over there so we do not have to fight them over here, when what he means is: We are spending all our money over there, and we do not have it to spend here.

In Congress, we want a strong investment in children's health care, in stem cell research, in changing the course in Iraq. We have offered those to the President. He has rejected it. The President and his allies seem to want to stay the course in Iraq and not much else.

Well, America is going to see a lot of ghouls and goblins tonight. But what is truly scary is that the legislative grim reaper that threatens millions of families without health care insurance, the demon of oil addiction, and the specter of an endless war, are not going to be gone when we wake up. That is the reality we face. That is why we continue to challenge to change the course.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BROWN. I ask unanimous consent to speak for no more than 5 minutes as in morning business.

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

CONSUMER PRODUCT SAFETY COMMISSION

Mr. BROWN. Mr. President, our Nation's haphazard trade policy too often allows contaminated food and dangerous toys onto our shelves and into our homes, and this administration has done little to curb the toxic tide.

Earlier this month, I asked Ohio's Ashland University chemistry Professor Jeff Weidenhamer to test 22 Halloween products for lead. Three products tested were found to contain high lead levels. Acceptable levels of lead, according to the Consumer Product Safety Commission, are 600 parts per million for adults. According to CPSC, there is no acceptable lead level for children. A Halloween Frankenstein cup that Professor Weidenhamer tested—presumably a cup that may end up in a child's mouth—contained 39,000 parts per million versus 600, which is acceptable for an adult, and zero acceptable for a child.

For more than 40 years, parents trusted that their children's toys were safe from lead. The safety net secured to help our families is being systematically dismantled, as the Presiding Officer, the Senator from North Dakota, has pointed out so well, by our Nation's failed trade policies and an apathetic administration. Forty years ago, we banned lead in paint. Now we must ban lead in toys. I am a cosponsor of legislation with Senator OBAMA that would do that.

While a ban on lead in toys is an important step, it doesn't get at the heart of the problem—our failed trade policy. Until we get tough on enforcing safety standards abroad, we won't be able to prevent contaminated products from ending up on store shelves across the country and in our homes.

Distributors seeking low-cost products stretch supply chains to China and cut costs; that is, American companies that import go to China and other countries and push them to cut costs, to cut corners, and then those products are brought back into the United States. That means lead paint in toys because it is cheaper to buy and to apply, it means too often contaminated products in our homes, and it means zero accountability.

We have not made the importers, the contractors, or the Government accountable because of cuts at the Consumer Product Safety Commission and because we have a top Commissioner there who has simply weakened that agency and abdicated responsibility. As yesterday's report highlighted, we must do more to ensure the Consumer Product Safety Commission has what it needs to do its job.

I am a cosponsor of legislation sponsored by Senator PRYOR that would reauthorize and strengthen the Consumer Product Safety Commission. Its budget is half what it was when it began in the 1970s in real dollars. The staff has dwindled over the years from 1,000, including inspectors, to 420. We must instead increase funding and staff at the Consumer Product Safety Commission. We must increase coordination between the CPSC and Customs officials. We must give the Commission the authority to examine and approve other nations' regulatory systems before imports from a country get onto our store shelves.

When we buy tens of billions of dollars of toys, tires, and other consumer products from a country that has weak environmental laws, weak food safety laws, weak consumer protection laws and, at the same time, when our companies that import from other countries push subcontractors in those countries to cut costs, this is what we end up with. That is why we must give the CPSC the authority to examine and approve other nations' regulatory systems.

Unfortunately, as imports from China and other trading nations rise and the recall of toxic products at home increases, the Bush administration continues to call for more Consumer Product Safety Commission cuts.

Yesterday, the Times reported that Chairwoman Nord of the CPSC plans to actively work to kill the Pryor legislation. That is unacceptable. This administration's apathy for policies that protect our families is at best shameful and at worst potentially deadly.

One thing I am sure of: It is time for Nancy Nord of the Consumer Product Safety Commission chair to step aside. She is the acting chairperson but, unfortunately, we have seen a lot more inaction than we have action. It is time to put a chairperson in place who is not satisfied with "we are doing the best we can." We need a chairperson who fights for the authority and the resources the Commission needs to do the job it is supposed to.

Her response to the wave of product recalls has been, to put it charitably, underwhelming. She is fighting efforts to make more information available to the public about product hazards. She opposes protections for whistleblowers who identify shoddy products, and, most importantly, in the face of recall after recall, she has offered no plan to equip the CPSC to fulfill its role in product safety. She spends most of her time trying to make sure her agency isn't scrutinized or held accountable for doing its job. We need a permanent chairperson dedicated to doing the most important thing the CPSC is to do—protecting families and our children, not protecting corporate interests.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3963, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (H.R. 3963) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that the cloture vote on the motion to proceed to the children's health insurance bill, H.R. 3963, occur at 3:45 p.m. today, and that if cloture is invoked it be considered invoked as if the vote had occurred at 6:30 p.m. today and concluded at 6:50 p.m., with the time following the conclusion of morning business prior to the vote equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I wish to yield to myself 30 minutes, and I also ask unanimous consent that Senator KENNEDY be yielded 30 minutes of the majority's time.

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

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I am going to talk about a couple subjects this afternoon. I am going to begin, however, talking about the issue of children's health insurance.

The Children's Health Insurance Program will be the subject of the cloture vote later this afternoon, and it is a very important issue. We have a lot of children in this country who do not have health insurance coverage. Ten years ago, we put together a piece of legislation called the Children's Health Insurance Program. It has worked. It has been very successful. Millions of children who otherwise would not have had health insurance coverage now have health insurance coverage.

The President, when he campaigned for office a couple of years ago, said he supported and wanted to expand the

Children's Health Insurance Program to cover more children. The Congress, on a bipartisan basis, has now passed the Children's Health Insurance Program reauthorization that would provide additional coverage for nearly 4 million additional children in this country—3.8 million additional children, to be exact. The President vetoed it—this after he campaigned saying he supported expanding the program. In fact, not only did he veto the expansion of the program—that was done on a bipartisan basis in the Congress, and fully paid for, I might say—but he sent Congress a budget that left 21 States without enough money to continue to cover the existing kids in the program.

So this administration has it wrong. That is not just me saying it, it is a bipartisan group of Members of Congress who believe very strongly we need to do what is right to try to get health insurance to children. We should try to make sure every American has health insurance. That is very important. But it seems to me if you do not have legislation that does that, at least start with the children.

I have said before, I do not know what is in second or third or fourth place in most people's lives in terms of what is important, but I know what is in first place in the lives of most people. It is their children and their children's health. If this is not a priority, if it is not a priority at the White House—it passed the Senate with a wide margin, passed the House with a wide margin, but we did not have 67 percent of the votes in the House to override the veto—if it is not a priority at the White House, I ask what is a priority? If providing health care for an additional 3.8 million children is not a priority, what are the priorities at the White House? What is more important?

Once again, this may be unfamiliar territory to the President because this is a piece of legislation that is fully paid for, unlike much of what we get from the White House these days. I am going to talk about that in a bit. But before us here in Congress, the President has two requests. In addition to his regular budget, the President has said to us: I want another \$196 billion for the purposes of continuing the war in Iraq and Afghanistan. And he said: I want the \$196 billion declared an emergency. I do not propose we pay for it. I propose we put it all on top of the debt. That will take us to almost two-thirds of a trillion dollars the President has asked for—none of it paid for, all of it requested by the President as an emergency.

Contrast that, by the way, a \$196 billion emergency request—none of it paid for—with a bipartisan group in the Congress that says: We believe the priority is our children. We propose to cover 3.8 million additional kids with health insurance coverage, and we fully pay for it. That is a very significant departure from what we hear at the White House these days.

Now the President gasses up Air Force One, flies all over the country, and flew