

things scheduled. I have had a number of Democrats and Republicans come to me and say it would be to everyone's advantage if we finished this bill earlier tonight rather than later. But whenever it is, whether it is late on Thursday, early on Thursday, or early Friday morning, we are going to finish this legislation tonight or in the morning.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

SENATOR HOWARD METZENBAUM

Mr. KENNEDY. Mr. President, all of us are deeply saddened with the loss of an extraordinary Senator and a great human being: Howard Metzenbaum. We extend our condolences to Shirley and to the members of the Metzenbaum family.

He truly was the conscience of the Senate for so many years. This is an institution made up of 100 individuals, and all of us wonder whether any of us can make much of a difference in a group of 100. But history will show that Howard Metzenbaum made an extraordinary difference in this institution and for the working men and women of this country whom he championed.

He was an unabashed champion for those who were left out and left behind. So often their interests and their well-being are forgotten, but they never were when Howard Metzenbaum served in this institution.

Reference has been made to one of the great battles, among the many he fought, and that was on this issue of the deregulation of natural gas. Howard and Jim Abourezk and a few of us were interested in that issue. We were following the leadership of Howard Metzenbaum. He absolutely infuriated every Member of this body as he kept us here day and night, day and night, rollcall after rollcall, but he would not give up, and he would not give in.

All of the Members were in an uproar, until finally a solution was reached and the Senate went in adjournment. As Senator Metzenbaum walked out on the Senate steps, Senator after Senator came up and congratulated him. They all were expressing a viewpoint that was unsaid, but they were basically saying beneath their breath that they hoped they could be the champion for their interests as Howard Metzenbaum was a champion for the interests of working men and women in this country.

Howard could scold, he could hassle, he could provoke, he could cajole, but he also could smile and he could joke. He had a warm heart and a brilliant mind. He was a Senator's Senator. He will be greatly missed, but he will be greatly remembered as well for his service to this institution, which he loved, and for the people of Ohio, whom he served so nobly.

Mr. COCHRAN. Mr. President, I was deeply saddened by the news of the death of our former colleague and friend, Howard Metzenbaum.

The Senator from Ohio was one of the most conscientious, hardest working, and influential Senators I have had the privilege to observe since I came to the Senate in 1979.

We were friends even though we would disagree on some subjects and be on the opposite sides of amendments he would offer on appropriations bills I was supporting. He was a fierce debater and would often become agitated and raise his voice level for effect. But, he always impressed me as sincere, honest, and relentless.

The Senate and the United States were well served by Howard Metzenbaum.

Mr. HATCH. Mr. President, I rise to speak today regarding the passing of former Senator Howard Metzenbaum, who passed away last night at his home in Fort Lauderdale, FL. I think I speak for many of my colleagues when I say that our Nation has lost a principled leader and that Senator Metzenbaum will be missed.

Senator Metzenbaum was born in Cleveland, OH in 1917 and spent much of his life serving the people of that great State. He graduated from Ohio State University in 1939 and received a law degree from that same institution in 1941. The early days of his legal practice were devoted to representing labor unions in Ohio.

In 1943, he began an 8-year period of service in the Ohio State Legislature, serving 4 years in the Ohio House of Representatives and 4 more in the Ohio Senate. He soon became a prominent figure in Ohio politics.

After his time in the Ohio Legislature, he continued his legal practice and also embarked on a very successful career in real estate development, becoming a self-made millionaire through a series of very successful investments. However, he did not stay out of public service for long.

In 1974, Senator Metzenbaum was appointed by Ohio Governor Jack Gilligan to fill the vacancy in the U.S. Senate left by Senator William B. Saxbe who had departed to serve as U.S. Attorney General. After losing a tough primary election to future Senator John Glenn later that year, Howard was elected to Ohio's other Senate seat in 1976, the same year I came to the Senate. He served three Senate terms before retiring in 1995.

I had the privilege of serving with Howard for his entire career in the Senate. It always amazed me how dedicated Howard was and how he dutifully watched out for his constituents' interests. It seemed like he was always on the floor at the right time and ready to stop any amendment that he thought might go against the principled views he held.

For many years, Howard's Senate office was across the hall from my office on the first floor of the Russell Senate Office Building. Frequently, when there was a vote, Howard and I would enter the hallway at the same time and he would immediately make a state-

ment about the loud tie I was wearing. He never failed to notice the unique collection of ties I wore. However, over the years, I noticed his selection of tie choices began to grow louder and louder as well until eventually, we used to see who could wear the most outlandish ties to work each day. We sure did wear some ugly ties trying to outdo each other. We really developed quite a fondness for each other during those years.

As you might expect, Howard and I often found ourselves butting heads on many issues. He certainly had a tendency, at times, to frustrate some of our colleagues. However, we all admired him for his courage and conviction.

Howard was a tough politician. As we came to the close of each of our Senate work periods right before a recess began, you could always find Howard sitting at his desk on the Senate floor objecting to every piece of legislation that he did not agree with. He spent hour upon hour standing up for the people of Ohio.

Howard's enthusiasm in protecting the interests of Ohioans was probably the only thing that exceeded his zeal in guarding against legislation that he viewed as helping large corporations. I recall with some amusement an incident surrounding an amendment I was trying to add to a tax bill on the Senate floor that would have lowered excise taxes for certain companies that supplied materials to mining companies. This amendment had been cleared by the managers of the bill, who were the leaders of the Finance Committee. It appeared that acceptance of the amendment was a done deal.

That is, until Senator Metzenbaum found out that a potentially pro-corporation amendment was about to be accepted.

Howard began objecting to the unanimous consent request to include this amendment in the bill. During a call of the quorum, I went over to chat with him. I informed him that of the roughly two or three dozen mining supply companies that would be helped by this amendment, three were located in Ohio. I could see in his eyes the difficult nature of his dilemma—on the one hand he did not want to spend money on helping corporations and on the other hand, he always wanted to help his beloved Ohioans.

In the end, Howard made what he thought was the best decision for his constituents and agreed to let the amendment go, but not before he had a chance to weigh in his mind the importance of his decision. I remember thinking at the time that I had probably witnessed one of the only times Howard ever changed his mind regarding a piece of legislation.

Mr. President, I want to extend my deepest sympathies to the Metzenbaum family. As I said, Howard and I didn't often find ourselves on the same side of matters before the Senate, but I can say, without reservation, that he was a dedicated public servant, a man I have always admired and a dear friend.

Mr. BYRD. Mr. President, I was saddened to learn that my good friend and former colleague, Senator Howard Metzenbaum, has passed away.

He was a man of courage, conviction, commitment, and toughness. He was a labor lawyer and union lobbyist, who grew up in poverty, and went on to become a champion of the rights of American workers. He was a self-made millionaire who became a dedicated adversary of big business.

I was honored to work with him in the Senate for 18 years. He was an unabashed liberal who brought such an intensity to any issue he was promoting, that it was a pleasure simply to watch him as he worked. It was the high level of energy and emotion that he brought to the issues about which he felt most deeply that prompted me to remark at one point, "Some men have succeeded in politics through diplomacy and compromise, [but] Howard Metzenbaum's forte has been his passion."

And he was passionate about liberal causes. During his career in the Senate, he wrote legislation on nutrition-labeling, funding for "orphan drugs" for rare diseases, airline safety, and penalties for violations of child-labor laws.

It was a delight to work with him in the incredibly productive 100th Congress—and he was one of the reasons that that particular Congress was so productive. Some of the legislation that Senator Metzenbaum sponsored during that Congress included plant-closing notification and a massive worker-retaining program.

Mr. President, Senator Metzenbaum's support for liberal causes earned him a variety of labels and descriptions. While the Wall Street Journal branded him "Senator No" for his determination and ability to block legislation that favored special interests, the Dayton Daily News called him "Senator Can Do" for his legislative accomplishments.

The Cleveland Plain Dealer described him as the "watch dog for American consumers." The Gannet News service called him the "millionaire friend of the little guy." The Congressional Quarterly depicted him as the "Democratic Gatekeeper." In his weekly newspaper column, Senator Paul Simon called him "the tiger of the Senate." The head of Handgun Control, Sara Brady, labeled him a "hero" for his leadership in fighting for the Brady bill and other gun-control measures. I was privileged to be able to call Senator Metzenbaum "friend" and "colleague."

American workers and American consumers, as well as members of the Senate, the State of Ohio, and the citizens of our beloved country are all so much better off because he served in this chamber for nearly two decades.

Mr. President, during one of his fights against special interests, the Washington Post editorialized, "Thank God for Metzenbaum." I loved that re-

mark because I, too, wish to "thank God for [Senator] Metzenbaum."

Mr. HARKIN. Mr. President, I was saddened to learn of the death, last night, of former Senator Howard Metzenbaum of Ohio. But my grief is leavened by wonderful memories of this extraordinary person and all that he accomplished during his nearly two decades in this body.

There are several essential, bedrock things you quickly learned about Howard Metzenbaum. He was proud, unreconstructed, irrepressible liberal. He was a fighter who never gave in or gave up. And he was utterly intolerant of injustice or discrimination toward any human being.

In many ways, he was a classic child of the Great Depression, raised amidst poverty and anti-Semitic prejudice, and reared on the speeches of his hero, Franklin D. Roosevelt.

Howard was a self-made man who said that he was "born knowing how to make money." And he did, indeed, make a fortune in the business world. But, for Howard, money was not an end in itself. It gave him the freedom to devote himself to public service and to the causes that he believed in so passionately.

Howard and I shared a common interest in combating child labor and child slavery around the world. I especially admired his work as a founding member of the RUGMARK Foundation, a non-profit organization dedicated to fighting child labor in the hand-made carpet industry, especially in countries like India and Pakistan.

He poured all his energy and prestige as a U.S. Senator into getting RUGMARK started, and building it into the successful humanitarian organization that it is today. And on many occasions, he joined with other anti-child-labor activists in picketing outside of drug stores that persisted in selling products made with abusive child labor.

Of course, Howard's fight for social and economic justice extended into many other arenas.

For many years, he worked as a lawyer for labor unions, and he always believed passionately in unions as instruments for lifting people up and fighting for justice. It was Senator Metzenbaum who passed the law requiring 60-day notice before a plant could be closed.

And I dare say that the Senate has never had a more outspoken advocate for the American consumer. In fact, after he retired from the Senate, Howard served as chairman of the Consumer Federation of America. He fought for access to affordable prescription drugs. And, with good reason, he was especially proud of the law he passed requiring nutrition labels on all processed food products.

Food labels—listing calories, fat, salt, and cholesterol content—have changed the way Americans shop, and they have given us an important tool for taking charge of our own health. Howard's work on food product labels

was the inspiration for my own bill, which would require chain restaurants to provide similar information on the nutritional content of regular menu items.

Mr. President, those of us who were privileged to serve in the Senate with Howard Metzenbaum will never forget his sharp wit and equally sharp tongue. He didn't come to the Senate to be Mr. Popularity; he came here to get things done and to change the world for the better.

And that's exactly what Senator Metzenbaum did during his 19 years in this body. He was a tireless, outspoken voice for working families and union members, for the poor, and for anyone who is oppressed, exploited, or discriminated against.

Mr. President, there was one other great passion in Howard Metzenbaum's life, and that was his love for Shirley, his wife and partner for more than five decades. My thoughts and prayers, today, are with Shirley.

She is saying goodbye to her beloved husband. We are saying goodbye to one of the true giants of the Senate in the late 20th century.

UNANIMOUS-CONSENT REQUEST— S. 1027

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 351, S. 1027; the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BUNNING. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 70, which the clerk will report by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 70) setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

Pending:

Baucus amendment No. 4160, to provide tax relief to middle-class families and small businesses, property tax relief to homeowners, relief to those whose homes were damaged or destroyed by Hurricanes Katrina and Rita, and tax relief to America's troops and veterans.

Graham amendment No. 4170, to protect families, family farms, and small businesses by extending the income tax rate structure, raising the death tax exemption to \$5,000,000 and reducing the maximum death tax rate to no more than 35 percent; to keep education