Mr. FEINGOLD. I have no desire——

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

Mr. FEINGOLD. I have no desire to take the floor away from the Senator from Pennsylvania, but back where I live, I have been consuming zucchini in parts into your home and you do not know they have been ruminating around in your house and you find out 7 days later that they did this, you are upset. If you do not find out for 30 days, where I come from that is a scintilla; that is a big deal. The U.S. Government coming into your house without giving you notice, as people expect under the fourth amendment, is not a triviality.

It is at the very core of one of the most important provisions of the Bill of Rights. I am not sure I am, in the end, even comfortable with this concept of a sneak and peek search. I think it has been demonstrated it may be needed in some cases, but why in the world can’t a judge have to renew that every 7-days?

It is not a matter of trivia to the people of my State that the Government can come into their house without notice under the fourth amendment. And I reject the idea that it is a minor difference between 7 and 30 days.

Mr. SPECTER. Mr. President, the problem with the renewed argument by the Senator from Wisconsin is not on 7 days or 30 days, it is on 1 day. It is on any sneak and peek. It is on any delayed notification. Law enforcement has that latitude because they need to continue the investigation. If a disclosure is made, it will impede an investigation. A short period of time enables them to continue the investigation without alerting the target.

One day would be too long for the argument which is made by the Senator from Wisconsin. We are conducting this debate as if we have a law enforcement community in this country made up totally of people who have no regard for the rights of the individual. And when they get a delayed notice warrant, bear in mind, my colleagues and the Senator from Wisconsin, they have gotten judicial review on this sneak-and-peek warrant. On this delayed notification warrant, they have gone to a judge and have gotten leeway on standards which are set forth and articulated in the PATRIOT Act.

Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator is correct.

The Senate will come to order.

Mr. SPECTER. Back to the substance of the argument: this period of time, the less, the closer to the Senate position the better. But this is not some random act of a rogue law enforcement officer. This is a delayed notice warrant which has been obtained by going to an impartial magistrate and by showing cause and by showing reason to have a delayed notice warrant.

Mr. President, the Senator from New Hampshire was on the floor earlier today and has raised a number of arguments. I see other of my colleagues on the floor seeking recognition so I will not take these up at this time. But I would invite my colleagues to examine what the Senator from New Hampshire has had to say in the context of the debate which I have had with the Senator from Wisconsin. I think they are covered. But I will want to deal with them specifically.

I would point out—I am looking through the transcript for a moment on some of the things which he has had to say to support the amendments made by the Senator from Vermont, the distinguished ranking member, which I will comment about later. We will have a debate.

CONTINUED DUMPING AND SUBSIDY OFFSET ACT

Mr. SPECTER. Mr. President, I want to take an additional moment or two, while I have the floor, to make a brief argument in support of the motion which is going to be offered by Senator DeWine and Senator Byrd to instruct the budget conferences to drop the repeal of the Continued Dumping and Subsidy Offset Act.

This legislation was passed in the year 2000 under a program which allows the Bureau of Customs and Border Protection to distribute duties collected on unfairly traded imports to those U.S. businesses and their workers who have been injured by dumped or unfairly subsidized imports.

Over 700 companies in almost every State of the Union, including many small- and medium-sized companies, have received distributions under this act, benefitting producers and workers in lumber, shrimp, rice, garlic, cement, mushrooms, steel, bearings, stainless steel and plastic, and a broadband of other industries across the Nation hurt by the unfair trade.

In Pennsylvania, companies in a variety of industries, including steels, cement, agriculture, and food products have benefited from these distributions by investing in research and development, infrastructure improvements, and improvements to pension plans. In doing so, companies have been able to continue to operate and, in some situations, increased capacity.

Overall, disbursements have totaled $1.261 billion since its inception in 2000, $225 million in fiscal year 2005. Pennsylvania companies, alone, have received over $111 million in disbursements under CDSOA from fiscal year 2005 through fiscal year 2005 approximately $22 million annually—an approximate 9 percent of the total distributions.

Repealing or modifying this act would negatively impact U.S. workers and businesses, leading to the loss of the U.S. jobs to foreign competition, which would cost thousands of American workers their health insurance and pension benefits and add to the further outsourcing of Americans jobs.

This provision has had broad support in this body, where 75 Senators have signed letters to the President urging retention of this vital provision in the face of this adverse WTO decision allowing countries to retaliate by imposing tariff surcharges on U.S. products.

Congress directed the administration to resolve the WTO issue in ongoing trade negotiations in the fiscal year 2004 and fiscal year 2005 continuing appropriations bills, and the fiscal year 2006 CJS appropriations bill that became law last month. That language requires the administration to hold negotiations to recognize the right of countries to distribute duties collected from unfair trade as they deem appropriate.

I urge my colleagues to support the motion.

Mr. SPECTER. Mr. President, I ask unanimous consent that a letter dated November 4, 2005, and a letter which I signed along with some 69 other Senators, dated February 4, 2003, be printed in the Record.

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

DEWINE MOTION TO INSTRUCT CONFERENCE TO DROP THE REPEAL OF CSDOA STATEMENT OF SENATOR ARLEN SPECTER. Mr. President, as I have said, I have sought recognition to express my opposition to section 8701 of H.R. 4241, the House-passed budget reconciliation bill, seeking to repeal the Continued Dumping and Subsidy Offset Act, CDSOA, or Byrd amendment, and to express my support for the DeWine motion to instruct conference to rescind this provision in the conference report.

CDSOA was enacted in 2000 to enable U.S. businesses and workers to survive the face of continued unfair trade. The program allows the Bureau of Customs and Border Protection to distribute duties collected on unfairly traded imports to those U.S. businesses and their workers who have been injured by dumped and unfairly subsidized imports.

Over 700 companies in almost every State of the Nation, including many small- and medium-sized companies, have received distributions under this act, benefitting producers and workers in lumber, shrimp, rice, garlic, cement, mushrooms, steel, bearings, stainless steel and plastic, and a broadband of other industries across the Nation hurt by the unfair trade.

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from antidumping and countervailing duties; (2) promptly integrate the Administration’s recent Report to Congress on the WTO Dispute Settlement Process; and (3) consult closely with the particular WTO Members to distribute monies collected

House budget reconciliation package imposes increased cost sharing on low-income Medicaid beneficiaries and reduces health services by $6.5 billion over 5 years and by $30.1 billion over 10 years. For children, the impact of the House bill would be devastating. Medicaid covers more than 27 million children, almost one in four in this country. Medicaid also covers more than a third of all the births and health care costs of newborns in the United States each year.

In spite of the importance of Medicaid for children, the House budget package increases cost sharing for all children who rely on it for prescription drugs or for emergency room services. The bill also allows States to impose premiums for the first time under Medicaid for children’s coverage and to deny children coverage even if their family cannot afford to pay the premium or other cost sharing.

The House bill also allows States to eliminate the early and periodic screening diagnosis and treatment benefit rules that are so critical to the health of children with special health care needs and disabilities. Benefits that could be lost include comprehensive developmental assessments, assessment and treatment for elevated blood lead levels, eyeglasses, dental care, hearing aids, wheelchairs and crutches, respiratory treatment, comprehensive mental health services, prescription drugs and therapy services. In short, three-fourths of the savings in the House bill come at the expense of low-income Medicaid beneficiaries. By CBO’s estimate, half of the beneficiaries affected by the increased cost-sharing provisions in the House package are imposed on children, and half of those who will lose Medicaid benefits would be children.

CBO adds that, due to added premiums, “about 70,000 enrollees would lose coverage in fiscal year 2010 and 110,000 would lose coverage in fiscal year 2015 because of the imposition of premiums.”

Furthermore, CBO estimates that the flexibility in the House bill to reduce benefits will also heavily impact children. CBO estimates that “benefit reductions would affect an estimated 2.5 million Medicaid enrollees in 2010 and about 5 million enrollees by 2015—about 8 percent of the Medicaid population—and that about one-half of those receiving alternative [or reduced] benefit packages would be children.”

Without the Medicaid Program, the number of children without health insurance, which was 8.3 million in 2004, would almost surely increase. In fact, the number of uninsured children has dropped by over 300,000 over the past 4 years due in large part to Medicaid and

CBO and the President agree on the need to preserve and strengthen Medicaid, but House proposals would erode the health coverage of children who are the most vulnerable citizens of our nation.

Honorable Senators, the House bill is a radical departure from the bipartisan deal that I worked out with Senator Kent Conrad that was supported by the administration. The House bill would cut $30.1 billion over 10 years from the budget reconciliation package that would have protected and strengthened Medicaid—money that is critical to the health of children.

The contrast between the two bills is stark. The Senate bill includes a bipartisan, 2-year reauthorization of the Children’s Health Insurance Program Act (CHIP) that would provide $93.4 billion over 10 years to states to cover an additional 4.5 million children. The Senate bill also includes more than $15 billion over 10 years to provide a comprehensive benefit package for children that includes vision, hearing, speech and therapy services, dental care, and mental health services. Moreover, the Senate bill would provide funding for early and periodic screening and diagnostic services, and it includes provisions that would help states cover low-income children who are eligible for Medicaid but not enrolled.

This package is consistent with the bipartisan deal that Senator Kent Conrad and I worked out. The Senate negotiations were designed to preserve and enhance the program that has been so critical to the health of children. The Senate package is fully funded, it includes a reauthorization of CHIP and it includes a comprehensive benefit package for children that includes vision, hearing, speech and therapy services, dental care, and mental health services.

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