

Presidential election. Continued operation under a continuing resolution means the full amount of funding will be delayed, along with the installation of state-of-the-art voting machines. This is very critical to our Nation. We all remember the last election, and we pledged to fix that. I do not think it will be possible because of the delay of this bill.

This measure also funds transit programs at \$7.3 billion to address traffic congestion around the country. It provides \$13.9 billion for the Federal Aviation Administration to ensure the safety of our air transportation system. Increases in both programs are now in jeopardy because this bill will not pass before the end of the year.

I have great concerns about the delay in funding for counterterrorism that will result in not passing this measure now. The conference report includes significant new funding for the Department of the Treasury to disrupt the financing of terrorist groups. Delayed funding could hamper the ongoing efforts to disrupt the cash-flow to the terrorist groups throughout the world.

The State-Justice-Commerce bill is also included within this omnibus measure. If this bill is not adopted, critical funds for the FBI and counterterrorism programs will be delayed. In addition, the United States would be late in paying its dues to the United Nations Educational, Scientific, and Cultural Organization, which is due January 1.

The District of Columbia bill is funded in this legislation, including the voucher program which was controversial, I will admit. But it is to give kids attending failing schools a chance to succeed in life. If this voucher program which is now authorized is delayed, it probably cannot go into effect the next semester. It is uncertain whether the program can be up and running by the next school year unless this bill passes before the end of this year.

Despite reports in the press and some opponents, I think this is a bipartisan bill. I don't believe there is a Senator in the Chamber who cannot or has not claimed credit for at least one program in this bill. It funds programs for Republicans and Democrats alike, and includes projects for Senators who are up for election regardless of party. Each of these seven bills was worked out largely by the chairman and ranking member, a Republican and a Democrat, on each subcommittee. Only a handful of these issues were resolved at the full committee level in conference.

Are there provisions in this bill to which the minority object? Yes. Does the White House endorse all of what we have done in this bill? Absolutely not. Are there sections in the bill that even I oppose? Yes. I do oppose some of the provisions. But the bill is the product of compromise, and unfortunately, it is a compromise that comes about when we are forced to join bills together into an omnibus bill. Senator BYRD and I have consistently opposed the concept

of omnibus bills, and we sought to have bills pass singularly as they should be—13 separate appropriations bills.

I know there are items in here with which Senator BYRD disagrees. As I said, I know there are provisions with which I disagree. But the one thing I do thank the Senator from West Virginia for is working to try to get 13 separate bills. It has not been possible for us to do that. We were forced at the last minute to make some concessions to the White House and to the House in order to get a bill that the House would pass and which the President would sign. Some of those concessions are not acceptable to the minority. I understand that. I understand the process. Unfortunately, the timing of this bill is such that we had no alternative but to make the concessions in order to get the bill to the House.

I had hoped that we would be able to pass it today. I know that is not possible. Delay of this bill is going to cause real problems for people around this country and around the world, as I said in the beginning. It will hit the neediest among us hardest of all. And for some, unfortunately, this delay may be a matter of life or death. During the season of peace and helping each other, particularly the spirit of Christmas and the spirit of bipartisanship, I had hoped the 2004 omnibus appropriations bill would be able to pass today. I regret deeply as chairman of committee that is not possible. I take full responsibility for the delay because it was just not possible for us, within the rules, to finish the bills and get them to the Senate before this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

OMNIBUS APPROPRIATIONS

Mr. BYRD. Mr. President, let me begin by thanking my colleague, Senator STEVENS, the chairman of the Appropriations Committee, for the excellent work he has done on the bill that is now before the Senate, H.R. 2673, the omnibus appropriations bill. It consists of seven appropriations bills. Senator STEVENS has consistently sought to avoid having omnibus appropriations bills. He has zealously tried to have all of the 13 appropriations bills pass on time before the beginning of the new fiscal year and sent to the President of the United States for his consideration. Senator STEVENS has at all times been fair—eminently fair to me and to all members of the Appropriations Committee. I congratulate Senator STEVENS. He is an excellent chairman. And I congratulate the other members of the committee, both Democrats and Republicans, for working together as they have on this bill and as they have always done as long as I have been on that committee; and that is 45 years.

I share the disappointment of the distinguished chairman of the Appropriations Committee. I share his dis-

appointment. He has been valiant in his efforts. He has been consistent in his search for ways by which we can come together and pass a bill on time. I could ask for nothing more.

Members of this Congress have a duty and a responsibility to the American people, to the men and women who send us to represent them in this great Capitol. Those men and women who send us to represent them in this Capitol do not expect us to rubberstamp legislation. They do not expect us to cash our own paychecks without doing the work that we were sent here to do. Senators are paid to be in the Capitol when votes are taken. Today is such a day, yet few Senators are present.

The 1,182-page conference report before the Senate totals more than \$328 billion. I hold my hand on the top of this 1,182-page conference report. Here it is. What a mammoth bill, 1,182 pages. Yet we were asked to adopt this mammoth piece of legislation by unanimous consent. The majority leader asked Senators for their consent to bring this bill up, which is in the form of a conference report, and pass it without a rollcall vote. Is that the way the American people want their business to be conducted?

This bill totals more than \$328 billion. It provides funds for 11 of 15 Federal Departments. It wraps together the work of seven appropriations bills. This conference report funds our Nation's schools and highways, our veterans clinics, workplace safety initiatives, and medical research. It funds priorities that directly touch the lives of every American citizen. Yet Members of this body do not have the time, apparently, or the will, to be here at their desks in the Senate and vote on this mammoth piece of legislation. Instead of a rollcall vote, the majority leader sought unanimous consent to take up and pass this legislation by voice. My voice is not so good today but it is good enough to say no. I object to passing this bill without a rollcall.

I announced my intention days ago to object to any unanimous consent request to pass this bill without a rollcall vote. I am here, at my place, as I said I would be. Senators may have travel plans or schedule conflicts. They may prefer to be in their home States or traveling around the globe rather than be here in the Capitol. Our responsibility is here in this Chamber when we have an appropriations measure of this nature, of this size, of this importance.

Our responsibility is to work. Our responsibility is to debate and vote on this conference report. We should not have postponed this matter until next year. We should not have put this matter off for several weeks. There is no good excuse for putting this debate on hold.

Now, stop and think for a moment. We have had since April to pass these seven bills. The budget resolution was adopted in early April, on April 11.

That gave us our directions and the Appropriations Committees could go forward at that time. Here we have been since April 11 and we have only passed and sent to the President of the United States six appropriations bills. So more than half of the total of 13 appropriations bills are right here in this conference report and no Senator—no Senator and I daresay no House Members, perhaps a few—I will leave myself a little wiggle room—I can say no Senator has seen everything that is in this massive bill. No Senator, under God's heaven, knows everything that is in this conference report. No Senator's staff person knows everything that is in this conference report. This represents the people's business.

It is the people's money and Senators are asked to come here today and vote no. They were asked to come and pass this massive piece of legislation without a rollcall vote. This is an abomination. The American people deserve better from us.

I understand the reluctance of the majority leader. The leadership worries there may not be enough votes to pass the conference report and send it to the White House. But we would not know that until we voted. It is not unheard of to ask Members of the Senate to come back and vote. It has been done before. I have done it when I was majority leader. It has been done by other majority leaders. I don't criticize the current majority leader. He is doing what he thinks he has to do under the circumstances. But I think we all could have done better. I think the Members should have been asked to come back and do their work and finish the job, debate the conference report, have a rollcall vote and then go home for Christmas.

Make no mistake, there are many problems with this conference report: contracting out Federal jobs, stripping employees of bipartisan job protections, voiding an effort to protect overtime protections established by the Fair Labor Standards Act of 1938, taking away the right of as many as 8 million employees to earn time and a half for extra hours worked. Last minute closed-door changes would postpone country-of-origin labeling. Let me say that again: Last minute closed-door changes would postpone country-of-origin labeling on meat and vegetables, robbing Americans from knowing where their food was grown for 2 years and breaking the balance crafted as part of the 2002 farm bill.

The 1-year limitation on the FCC media ownership rule was turned into a permanent cap at 39 percent. The practical effect of changes demanded by the White House is to protect Rupert Murdoch's FOX Television Network and CBS-Viacom from having to comply with the lower 35-percent ownership caps a congressional version of the bill would put in place. The White House is boosting special corporate interests at the expense of the people's interest for balanced news and information.

One could go on for quite some time ticking off the problems that are in this conference report, problems dictated to Congress by the Bush White House.

There are many provisions within this package that never came before the Senate—never. Yet Senators were asked to buy a pig in a poke, to vote for a pig in a poke, unknown, unseen, yet vote by unanimous consent—no, not vote, but asked to pass this gargantuan piece of legislation here by unanimous consent without a rollcall vote.

Can you imagine, \$328 billion and not even a recorded vote? What would Everett Dirksen say today? He said: A billion here and a billion there and pretty soon you have a lot of money. He should be here today. There is \$328 billion. That is \$328 for every minute since Jesus Christ was born. That is a lot of money. We are asked to close our eyes, plug our ears—no debate, no questions asked—just hold your nose and vote for it. Hold your nose and say: Pass it without a vote. That is what we are asked to do.

Four of the bills contained in this omnibus did not have a recorded vote in the Senate. One of the bills, the Commerce-Justice-State bill, was never even debated in the Senate, let alone adopted. Scores of provisions are included in the so-called Miscellaneous Appropriations Act portion of the conference report that were never debated in the House or Senate.

Under pressure from the White House, provisions that were approved by both the House and the Senate have been dropped. Under pressure from the White House, controversial provisions that were written as 1-year limitations when they were before the House or Senate have been mutated into permanent changes in authorization law. Now, that is going a far piece—going a fer piece, I would say. Houdini was nothing when compared with what the conference did here under pressure from the Bush White House.

In fact, the majority leadership created a new appropriations authority: the Miscellaneous Appropriations Act. That is a new one on me. There are 13 appropriations subcommittees, but I have yet to meet the chairman of the Subcommittee on Miscellaneous Appropriations.

That section, whatever its genesis, is home to administration pet projects and priorities. Scores of provisions are included in the so-called miscellaneous appropriations umbrella that were never debated in the House or Senate. Under direct pressure from the White House, provisions approved previously by both the House and the Senate have been dropped. Under pressure from the White House, controversial provisions originally crafted by the House or Senate as 1-year limitations, may I say again, have mutated into permanent changes in authorization law.

This conference report includes an across-the-board cut that has never

been debated in the Senate, an arbitrary cut that would apply to legislation already signed into law. It would cut homeland security. We are talking about your safety, and your safety, Mr. President, the safety of your home, your children, your grandchildren. Homeland security is the usual term. It would cut counterterrorism efforts. It would cut education and health care. This across-the-board cut would reach back into bills signed months ago and say: No, sorry. No, no, sorry, but that is just too much money. So we are going to take a little off the top.

Apparently, in the view of the White House, the United States can afford \$1.7 trillion in tax cuts. When it comes to the Medicare bill, we can afford \$12 billion for subsidies for private insurance companies. When it comes to the Energy bill, we can afford over \$25 billion of tax cuts and \$5 billion of mandatory spending for big energy corporations. But when it comes to initiatives funded in these appropriations bills, initiatives that help Americans every day, the President insists: Cut, cut, cut, cut. A cut of 0.59 percent would reduce funding for No Child Left Behind programs by more than \$73 million, resulting in 24,000 fewer children being served by title I.

We are talking about this across-the-board cut now. This across-the-board cut does not sound like it would be much, a cut of 0.59 percent, but what does it do to the No Child Left Behind program? It would reduce funding for the No Child Left Behind program by more than \$73 million, resulting in 24,000 fewer children being served by title I. Overall, the title I Education for the Disadvantaged program would be \$6 billion below the level authorized by the No Child Left Behind Act that the President signed in January of 2002 with great fanfare—another promise unfulfilled.

The across-the-board cut would reduce Head Start funding by \$40 million, resulting in 5,500 fewer children attending Head Start. Veterans medical care funding would be cut by \$159 million, resulting in 26,500 fewer veterans receiving medical care or 198,000 veterans not getting the prescription drugs they need.

I spoke earlier about cuts in homeland security. The across-the-board cut would chop funding for homeland security initiatives. How many more baggage screeners would be laid off resulting in longer lines and less security at our airports? How many flights will have fewer air marshals on board? How many fewer flights will have air marshals on board? How many more containers will come into this country uninspected? How many more illegal aliens will be able to remain in this country or how many will be able to come into this country? This is a threat to the Nation's security. How many potential terrorists will never be investigated because of cuts in the FBI program?

All this, and the distinguished majority leader sought consent that this

package be approved without a rollcall vote. That is no way to legislate. How would I feel facing my constituents and having to say: Well, it was getting close to Christmas and Members had other things they had to do; we did pass it; I wish now we would have had a rollcall vote but I wasn't there to object?

That is no way to be accountable to the American people. Taxpayers of this country rightly expect Senators to be accountable for funds drawn out of the Federal Treasury. It is your money. How many times have we heard that? I say to those who are looking at the Senate Chamber today through those electronic lenses: It is your money. How can Members be accountable when they are scattered to the four winds across the globe? What kind of perversion of the appropriations process would result in Senators approving this monstrosity without a recorded vote?

When Members took their oath of office, they pledged, standing right there at the Presiding Officer's desk with their hands on the Bible—"so help me God," they said—that they would support and defend the Constitution. So we have a responsibility to faithfully discharge the duties of the office of U.S. Senator. We took a pledge to do that. We took an oath to do that. We took an oath before God and man to do that. Senators did not pledge to do so just when it was convenient or when the schedule permits.

The House of Representatives saw fit to return to vote on this conference report. Why then could the Senate not do the same? We all get the same pay. Senators as well as House Members are paid to work for 12 months each year, not 10 months.

Chairman STEVENS and I worked with each Senator on the Appropriations Committee to produce 13 individual appropriations bills to send to the President. I have commended—and do so again—the senior Senator from Alaska for his effort, but the process was hijacked.

By whom? Who is doing the hijacking? The Bush White House. The White House hijacked the process. The process was hijacked by the White House and the Republican leadership in both Houses. Instead of sending 13 fiscally responsible appropriations bills to the President, the Senate was asked to close its eyes, plug its ears, and be gagged in order to rubberstamp a 1,182-page conference report combining 7 appropriations bills for 11 of the 15 Departments of the Federal Government, on an unrecorded approval of a unanimous consent request. No vote to it—no rollcall vote, no vote by division, no vote viva voce, no vote by voice, with only a handful of Senators. You could count the number of Senators in this Chamber on one hand this morning. This would be legislating without accountability.

What is the use of having elections if the voters are prevented from knowing how their Senators voted on investing

\$328 billion of the people's money, your money? This is wrong. The people have a right to know how their elected representatives stand on this legislation which will affect the lives of so many.

I am saddened by the majority leader's decision to postpone a vote on this legislation until January 20. This is no way to govern. We have had since April 11 to pass these seven bills. That is no way to serve the American people.

I thank the Chair, and I thank all Senators. 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. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HONORING REPRESENTATIVE BILL EMERSON

Mr. CHAMBLISS. Mr. President, I want to take a moment this morning to honor a dear friend of mine and a former colleague in the other Chamber, the late Congressman Bill Emerson of Missouri. On December 13, a new bridge spanning the Mississippi River at Cape Girardeau in Missouri is being dedicated to Bill who represented the people of southern Missouri in the House of Representatives with dedication and integrity for 15 years before his untimely death in 1996.

I was privileged to meet, know, and work with Bill Emerson during my freshman year in Congress. He was an example of hard work, common sense, and the ability to put differences aside to get the job done. Bill and I shared a common constituency of rural Americans and served on the House Agriculture Committee together. Bill's spirit of uncompromising principle and his ability to lead under the most difficult circumstances are assets that I have endeavored to emulate.

Bill's commitment to his family was unparalleled. His wife Jo Ann succeeded him in his congressional seat, and he would be so proud of her today for the work she is doing. His daughters, Abby, Liz, Tory, and Katharine, were the lights of his life. I have come to know all four of them over the years, and he would, again, be so proud of them.

Jo Ann has carried on Bill's legacy of building bridges between people to promote communication, trade, and civic pride and is making a mark in her own right. This is something which I know would have brought Bill a great deal of satisfaction.

Bill Emerson's habit of bridging gaps between people is captured perfectly in the Bill Emerson Memorial Bridge. This \$120 million structure replaces the bridge that was built 76 years ago. It will tie together the two States of Missouri and Illinois and promote trade and progress. It is a fitting monument

to a man who brought credit to his family, his community, his State, his country, and the Congress of the United States.

Bill Emerson was a dear friend. I miss him every day. What a fitting tribute to a great man and a great American.

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

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

Mr. BYRD. Mr. President, is the Senate still in morning business with a 10-minute limitation?

The PRESIDING OFFICER (Mr. SMITH). The Senator is correct.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak as long as I must speak. I can assure the Chair it will not be over 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from West Virginia is recognized for 30 minutes.

Mr. BYRD. I thank the Chair.

(The remarks of Mr. BYRD pertaining to the introduction of S. 1997 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

COMMENDING KOFI ANNAN, SECRETARY GENERAL OF THE UNITED NATIONS, AND STRENGTHENING THE UNITED NATIONS

Mr. WARNER. Mr. President, I rise today to bring to the attention of my colleagues a very thoughtful article written by Kofi Annan, Secretary General of the United Nations, entitled "Search For A New U.N. Role."

I commend the Secretary for his strong leadership over these years, and particularly for the courage he has shown as manifested by this op-ed piece, the courage he has shown to look to the future and to take such, what you might call, corrective measures or revisions as will further strengthen the United Nations as we, the body of nations, face a very perilous and uncertain world, a world filled with threats which really have little precedent in history and weapons that have little precedent in history.