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Senate

The 20th day of January being the day prescribed by House Joint Resolution 80 for the meeting of the 2d session of the 108th Congress, the Senate assembled in its Chamber at the Capitol at 12 noon.

The Senate was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty and Everlasting God, You are the meaning and mystery of all that is, was, and is to be. Thank You for Your constant love and for the opportunities to learn from each other. Thank You also for challenges and difficulties that test and refine us.

Lord, help us to make respect for You our first priority, and give our leaders the wisdom to trust the unfolding of Your will. May we embrace a humility that seeks first to understand instead of striving to be understood. Deliver us from a false patriotism that would render unto Caesar what belongs to You. Guide us with Your powerful hand until the kings of this world acknowledge Your sovereignty and might.

We pray this in Your Holy Name.
Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, first of all, I should welcome everybody back

because this is the formal convening of the second session of the 108th Congress. As everyone knows, we have a fairly short legislative session this year. I know in our leadership meeting this morning, and I am sure in the Democrats' leadership meeting this morning, we both began to outline the agenda for the year. When you look at the calendar and you look at the amount that we will be addressing, it is going to be challenging. We all recognize the challenge that is before us. Everybody is returning rested and ready to go, and I am delighted to have everybody back once again.

Under the order entered into on December 9, the Senate will resume consideration of the conference report to accompany H.R. 2673, the Omnibus appropriations measure. A cloture vote will occur today on that conference report at 3 p.m., and that will be the first rollcall vote of this session. The consent agreement allows for equally divided debate until that vote on invoking cloture.

As a reminder, the Senate will be in recess from the hours of 12:30 today to 2:15 for the weekly party conferences to meet.

I also want to remind my colleagues that this evening at 9 p.m. the President will deliver the State of the Union Address and therefore Senators should assemble in the Senate Chamber at 8:35 so that the Senate may proceed at approximately 8:45 this evening to the Hall of the House of Representatives for that address.

I do thank all Members for their attention and I look forward to a productive second session.

CONSOLIDATED APPROPRIATIONS

Mr. FRIST. Mr. President, we will be having a cloture vote today at 3 o'clock and thus I would like to use my leadership time over the next 10 or 12 minutes, rather than to state the goals and planning for this session, which I

will try to do at some point tomorrow, to address the issue before us and that is to finish up the unfinished work of the first session. The question before us, as I mentioned, is the Consolidated Appropriations Act of 2004. It is important legislation, and I think how we handle that legislation will in large part set the tone for the remainder of this Congress. I just want to spend a few minutes on that.

First, I thank the distinguished chairman, who is occupying the Chair, and the ranking member of the Senate Appropriations Committee, and their staff, for the tremendous work, hard work, dedicated work last year. We asked a great deal of that Appropriations Committee. They produced. They delivered. Today it is my hope we will be able to bring an end to that work with the passage of the seven remaining appropriations bills.

As you look back over the last 12 months, you see the committee completed action on 27 regular appropriations bills, completed action on 3 major supplemental bills, completed action on 4 continuing resolutions, and now finally the 7 remaining regular appropriations bills for 2004.

One thing is certain, that people have had sufficient time to review what is in this Omnibus appropriations bill, to review the legislation. It has been available now for 57 days. It was filed on November 25, 2003.

It is obvious that the legislation is not such that everybody is pleased; some people want more projects; some people want more spending; some people want less spending. There are many provisions in there that I personally would have liked to see turn out differently. But it is a product of months of work last fall and last winter, and it is the nature of all legislation, as we in this body know, that compromises are in order—compromises with the House

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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of Representatives, compromises with the administration.

But now, today, at 3 o'clock, is the time to move ahead and complete action on this legislation and thereby start that critical funding. I am sure as we discuss this over the next several hours it will become apparent that every single Senator in this body has a stake in passage of this legislation.

I did write to each of the Senators last week that no Senator should be under any illusion as to what will happen if we were to fail to pass this legislation. It is a clear, it is a stark alternative to a continuing resolution of the seven outstanding appropriations bills. Failure to pass this Omnibus appropriations bill, to approve this legislation, would really shortchange—it would curtail our efforts in fighting terrorism. It would weaken our food security system. It would create hardships for millions of veterans. It would put at risk millions of lives of those who suffer HIV and AIDS overseas. It would shortchange the needs of our schools and of our States and needy Americans.

I do also want to add, in addition to stating the importance of passing this Omnibus bill, that the legislation itself adheres to the agreement, the general agreement between Congress and the executive branch in terms of spending limits. I have set aside the emergency spending for the Iraq war supplemental. As I mentioned, some would wish there was more spending and some would wish that there was less spending. Whatever the arguments that people put forth, what it is important for people to understand, I believe, is that the spending under these appropriations bills is consistent with the budget blueprint that we adopted last April for this fiscal year.

It is a fact that, excluding the expenditures of the major supplementals for the operations in Iraq—one last April and most recently in October—appropriations funding authority between 2003 and 2004 is held to slightly less than a 3-percent increase.

Second, while remaining within this agreed-to spending restraint, the legislation funds important bipartisan priorities. A number of examples will be talked about on the floor, but let me cite just a few.

Education funding for title I programs would be funded at \$12.4 billion, and special education—or IDEA—would be funded at \$10.1 billion. These two programs combined would increase funding by \$2 billion for education over last year. Both increases are necessary to truly see that we leave no child behind. If we had to resort to a full year of a continuing resolution, these education programs would lose \$2 billion.

In education, we have a wonderful program—the Pell Grant Program—for needy college students. Under this bill, they would receive \$12.1 billion. If we had to take that stark alternative of a continuing resolution, funding would be reduced for these Pell grant recipi-

ents by \$700 million. That is clearly unacceptable.

Head Start spending in this bill would increase to \$6.8 billion—a \$150 million increase that would be forgone if we resorted to that stark alternative of a continuing resolution.

In the field of health, if you look at the area of research, NIH would receive \$28 billion—an increase in this bill, once it is passed, of over \$1 billion. Under a full year of a continuing resolution, this increase would be zero. Veterans' medical care spending would receive \$28.6 billion—an increase of over \$3 billion over last year—if, and only if, we pass this bill.

The list continues in terms of highway funding, the Millennium Challenge Account, and election reform. Global HIV/AIDS funding—with a strong bipartisan policy in this body—would reach \$2.4 billion. But failure to pass this legislation would clearly jeopardize that 5-year commitment of \$15 billion in funding to which Congress and the President have agreed.

The Small Business Administration, through the Guaranteed Loan Program, would receive \$9.5 billion. These are critical loans to small businesses that create jobs out of this increasingly strong economy.

FBI funding would increase by \$423 million once we pass this bill. If we don't pass the bill, the new FBI agents, who we know are needed, would not be funded; AmeriCorps, USDA's Animal Plant and Health Inspection Service—the list goes on.

I address only a few of the critical funding items. People will talk about the others.

There are other provisions in the bill such as providing a 4.1-percent Federal pay increase that is important to all of our Federal workers listening to me now.

There is over \$200 million in assistance to Southern California for last winter's disastrous forest fires that will not occur without this bill.

I am sure the chairman of the committee can list many other important funding items in this legislation needed for the basic functioning of government.

But the time has come to pass this legislation and to move forward into next year's budget—the fiscal year 2005 budget, which I remind all of my colleagues will arrive in less than 2 weeks. It is time for us to move ahead in 2004 rather than remain stuck in 2003.

I ask my colleagues to weigh their votes on this legislation very carefully this afternoon.

Again, I thank Chairman STEVENS and Senator BYRD for their tremendous work this past year, and particularly their staff for their dedication and long hours expended.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. DASCHLE. Thank you, Mr. President.

I join in welcoming back our colleagues and staff, and I wish our majority leader a happy new year. I hope his holidays were as enjoyable as ours.

I express my good wishes to the Presiding Officer and to the distinguished assistant Democratic leader and others with whom I have already had the opportunity to talk personally.

I hope this will be a productive session because there is so much that ought to be done. I believe much can be done if we work in a constructive and bipartisan way for legislation that will create opportunities for all Americans.

AN OPPORTUNITY SOCIETY

Mr. DASCHLE. Mr. President, Senate Democrats have set as our goal the passage of legislation that we call an "Opportunity Society" for all Americans—not just the privileged few. It includes proposals for more jobs—especially in manufacturing where we have lost nearly 2.5 million jobs just in the past 3 years—8,000 in my State of South Dakota. Nothing could create those jobs faster than early passage of a highway bill. We have already lost 90,000 jobs by the failure to take up the bill last year when the last bill expired. We can create over 800,000 jobs this year if we act expeditiously.

Not only do we believe in the need to create jobs but we want those jobs to pay a decent wage. Nothing can be more critical in that regard than to increase the minimum wage for the first time in 7 years.

Democrats also believe this Senate should address the cost and availability of health care which is fast becoming the preeminent issue in our country. I have vivid recollections of my hundreds of conversations with South Dakotans throughout my State last year, conversations which revealed the anxiety and the physical and financial pain now experienced by so many with and without health insurance. We believe one of the very first steps in reaching this goal should be the passage of legislation which authorizes the Government to negotiate lower prices for all seniors on prescription drugs as we already do for veterans and military retirees.

We will also advocate that this country devote far more attention to education, from preschool to higher education, with more resources and greater priority to fully funding childcare, title I, special education, and the No Child Left Behind Act.

We are determined to see that the Senate addresses retirement security for all Americans by protecting our seniors' pensions and providing them with the confidence that their retirement income will not be squandered or lost because of corporate mismanagement. It is imperative that Social Security be protected, and we will continue to fight this year to see that it is.

We also seek to provide opportunities here at home, and we ask that we not