

we have already passed in the Defense authorization bill which would establish a framework for what I would refer to as a ROTC, Reserve Officers Training Corps, except in this case not for the military but, rather, for intelligence purposes.

We have a sound foundation upon which to base the reform of our intelligence agencies. The problem we face tonight is that sound foundation which probably would pass this body by a vote of almost that which passed a few weeks ago, which was 96 to 2, and by a substantial majority in the House of Representatives, is being held up by a few Members of the House who wish to see the status quo retained or have other goals which are unrelated to the reform of the intelligence community that they have been unable to secure incorporation in this final conference report.

It would be a very sad conclusion of this session of Congress if one of the most pressing issues facing our Nation and the security of Americans; that is, provision of an intelligence capability that will allow us to understand our new adversaries will allow us to preempt the activities of those adversaries and will put us in a position to do what President Bush stated was our goal when he said our goal in the war on terror does not end with al-Qaida; it only starts there. It extends to all terrorist groups which have global reach. We will find them. We will stop them. We will destroy them.

We cannot carry out the Bush doctrine in the war on terror unless we have substantial enhancements in our intelligence community.

This is not something that just came upon us a few months ago. There is literally a stack higher than my desk of reports that have been written just since the end of the Cold War pointing out consistently the limitations in making recommendations to enhance our intelligence capability. These were totally ignored until 9/11. Even after 9/11 we were extremely slow to appreciate the urgency of reform of our intelligence agencies. We had to go almost to the third anniversary after 9/11 before serious consideration was being given.

For us today to announce we again have failed to take action to protect the American people would be a tragic condemnation of this session of Congress, and an unnecessary condemnation. We have an excellent proposal which has been endorsed by the 9/11 Commission, by leadership, and by the families of the tragedy of 9/11. For us to walk away from this opportunity that we now have to demonstrate that through bipartisan and bicameral actions this Congress is able to identify a serious national problem, deal with that problem, and enact it into law would be itself yet another tragedy.

I hope when we reach the week of December 6 and the House returns that the House will resolve its internal disputes and the President will continue

his involvement. I personally urge the President to particularly direct attention to the Pentagon where I think much of the energy for recalcitrance has emanated and that we will, before this year is over, pass an intelligence reform bill which will serve the interests of the American people and will bring honor to the Congress.

The PRESIDING OFFICER. The Senator from Minnesota.

#### TRIBUTE TO SENATOR GRAHAM OF FLORIDA

Mr. DAYTON. Mr. President, I would like to first pay tribute to my colleague, the Senator from Florida, who just spoke. He has been one of my guiding lights in my 4 years here. He is someone who exemplifies the best qualities of a U.S. Senator. His integrity and wisdom and his careful attention to matters large and small have been superb during his 38 years of public service to the State of Florida. It has been just extraordinary. I wish him well and I will miss him. I will miss his leadership and his guidance.

#### INTELLIGENCE REFORM CONFERENCE REPORT

Mr. DAYTON. Mr. President, I also join Senator GRAHAM in his remarks urging the House to pass the intelligence reform conference report, which I am told most, if not all, of the members of the Senate conferees signed. I salute Senator COLLINS and Senator LIEBERMAN who heroically over the last weeks have attempted to reach an agreement on this important measure.

I note that he cochairs the 9/11 Commission with former Governor Kean and former Representative Hamilton who have endorsed it strongly, as have the family members.

I agree with Senator GRAHAM. It is a tragedy that after that Commission report, after we held hearings in the Governmental Affairs Committee of the Senate, on which I am proud to serve, during the August recess, marked up the bill which had overwhelming bipartisan support, I believe every amendment added to that bill in that Governmental Affairs Committee, it had bipartisan majority support, passed here on the Senate floor, I am proud to have supported it—to walk away from it now after the Senate and House conferees agreed to the legislation because of the resistance of a few members in the House Republican caucus who are evidently able to persuade their Members and leadership not to proceed with it is a tragic loss for the people of America. It is a terrible failure on the part of the House to live up to its agreement. To go through that lengthy process and not have the final measure approved tonight is a tragedy for our country and for our security.

#### OMNIBUS APPROPRIATIONS

Mr. DAYTON. I also wish to comment briefly on the Omnibus appropriations measure which is before us and to express my concern about one omission which has severe consequences for my home State of Minnesota, which is the elimination of the Senate's action to prevent Minnesota and other States from having their title I education funding cut last year and this year.

In 2004, Minnesota was 1 of 12 States to suffer a reduction in title I funding. Minnesota schools received \$12.3 million less in fiscal year 2004 than we did in 2003. We lost that \$12.3 million in funding, even though our number of title I-eligible students increased by over 3,600. For this fiscal year 2005, Minnesota is only one of two States in the Nation to lose title I money, even though the number of our title I-eligible students will increase again.

In this conference report, Minnesota will receive \$15.3 million less than we did 2 years ago for title I education with probably 10,000 more poor students.

The Senate bill corrected the worst of that injustice. It said that no State would lose title I funding if their number of poor students increased. It didn't give those States any more money, even though that is what we should get—more title I money to serve more title I-eligible students. It only protected us from getting less funding. Now even that protection has been removed.

Presumably, the House conferees would not agree to it. They have all of their porkbarrel projects in the bill, all of their unnecessary spending, and even their shameful attempt, as has been discussed here tonight, to allow their leaders to examine the tax returns of law-abiding Americans. All that garbage is in the bill, but the funding for poor students in Minnesota was taken out of the legislation.

Our schools in Minnesota are already hard hit by other funding cuts. Now they must provide their services to more students with less money.

So much for compassionate conservatism, so much for No Child Left Behind. Those slogans ought to be prosecuted for consumer fraud. They don't tell the truth. Even worse, they are betrayals of our Nation's children, of our neediest children.

Once again, this legislative process has impoverished the truly needy while it enriches the truly greedy.

Poor schoolchildren don't have full-time lobbyists to prowl the Halls of Congress and serve their interests. Poor schoolchildren can't make big campaign contributions to big people who even make bigger contributions to their special projects. Poor schoolchildren have to depend upon us and on the House.

The Senate stood up for poor schoolchildren in Minnesota this year. The House Republicans let them down in the \$388 billion spending bill, a foot and

a half of paper. In all that money, the House Republicans cut our funding by \$25 million for the poorest kids in Minnesota. And then they went home.

They should come back on Monday and remove the tax inspection atrocity from this bill. And when they do, they should also correct the terrible injustice they served upon the children of Minnesota.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRAHAM of Florida. Mr. President, I first thank my friend from Minnesota for his very kind remarks and for the tenacity with which he oversees, supports, and advocates for the education of the children of his State. I admire his priorities.

I wish I could say the same thing about another action taken today in the House of Representatives. We have a neighbor with which we have had long historic and cultural ties. The case could be made that there would not be a United States of America today but for the aid of this neighbor. And that neighbor is the country of Haiti. Haiti is the poorest country in the Western Hemisphere, one of the poorest countries in the world. It is a country with a gigantic illiteracy problem, a gigantic health problem, a gigantic unemployment problem. We have demonstrated the fact that actions in Haiti have an effect on our national interests by having invaded Haiti repeatedly during the 20th and now into the 21st century.

Our typical invasion has been to deal with whatever was defined as the immediate problem, stay there for a brief period of time, and then leave. Soon all the problems that caused our previous involvement recurred.

We invaded Haiti yet again earlier this year. I am concerned we may well have to repeat that if we do not take action to deal with two fundamental problems. One is security, the second is jobs.

In terms of security, we left Haiti in June of this year with the understanding that the United Nations would provide significant security forces. Approximately 6,000 were committed from a variety of nations in the Western Hemisphere and elsewhere. As of the middle of last month, less than half of those 6,000 commitments had been fulfilled. That contributes substantially to violence, to threatening the stability and continuation of the government. It has encouraged the same kind of forces that used to man the Tonton Macoutes and the military services of the Duvaliers to seek a hope that they might resurrect themselves.

Second is that the economy of Haiti has continued, as unbelievable as it is, to slide further into wretched poverty.

There was legislation introduced by my good friend, Senator DEWINE of Ohio—I was pleased to cosponsor it—which would have given to Haiti some of the benefits which this Congress has recently provided to the poorest nations of Sub-Saharan Africa, to allow Haiti to have some hope of building an economy that allows some 75,000 to 100,000 Haitians to get a job, generating a sufficient income to support their families. That legislation passed this Chamber unanimously. It had the total support of the Senate. That legislation went to the House of Representatives. Senator DEWINE and I and others testified before the Ways and Means Committee as to the urgency of action, both the humanitarian aspects of this legislation, but, also, frankly, the self-interests of the United States of America in avoiding another collapse of that neighboring country.

I have been joined now by Senator DEWINE. Senator DEWINE has given an enormous amount of compassionate, aggressive leadership to this issue, and we had every expectation that we were on a track to get this legislation adopted in the House of Representatives until our first disappointment occurred when the leadership of the Ways and Means Committee decided to abandon the legislation that had already passed unanimously in the Senate and adopt a competing but much diluted bill for their effort to provide some assistance to Haiti.

I cannot speak for Senator DEWINE, but I speak for myself, that I was disappointed the extent of the legislation that the Senate had passed looked as if it was unlikely to be enacted, but at least there would be something that the U.S. Congress would have done for the people of Haiti and again for our own self-interest. Unfortunately, we have heard in the last 36 hours that it looks as if even that thin response will not be brought before the House of Representatives during this session of Congress.

I am extremely disappointed at what that says about our real values in terms of feeling a kinship with our neighbors within this hemisphere. I am also disappointed at what that says about the Chambers of the U.S. Congress. My hope burns eternal, and now that it appears as if there is a reasonable expectation that we will return the week of December 6 to take final action possibly on the omnibus monstrosity that stands before the Senate, and hopefully also on the subject of my previous remarks, intelligence reform, I hope we would also place on the agenda at that last hour an opportunity for Members of Congress to show they were not cold-hearted and without concern for fellow human beings, and that this effort, as minimal as it is, would be a symbol of our concern and, hopefully, a platform from which more effective and extensive U.S. action could be taken.

Mr. DEWINE. I wonder if my colleague will yield for a question.

Mr. GRAHAM of Florida. I yield.

Mr. DEWINE. Would my colleague agree—my colleague certainly is an expert on Haiti, having traveled there many times—the situation in Haiti is certainly not getting any better today; with this trade legislation we have talked about, both the House version of the bill and the Senate version of the bill would appreciably help the situation for the people of Haiti as well as help our foreign policy.

Mr. GRAHAM of Florida. Absolutely. In fact, in addition to all the systemic problems I cited, in the last few months Haiti has been hit with two dramatic climate-based tragedies. Earlier in the year on the east side of the country there were massive floods that resulted in the deaths of over 1,000. Then during this hurricane season on the western part of Haiti, there were similar floods that cost in excess of 1,000 lives.

I would refer my colleagues to a program that appeared just last night on the “NewsHour” about the circumstances in Gonaives, the third largest city in Haiti, which was the epicenter of that hurricane that hit just a few weeks ago. And yet today the circumstances are, if anything, worse than they were the day after the hurricane passed.

So I say to the Senator, yes, anything that we could do that would help and would show our willingness to help would be very well received in Haiti.

Mr. DEWINE. I wonder if my colleague from Florida would yield for another question?

Mr. GRAHAM of Florida. Yes.

Mr. DEWINE. My colleague has studied this issue, I know, extensively. I wonder if he would agree that the proposed bill from the Senate, as well as the proposed bill the House was considering, while both would have a significant impact on the people of Haiti in the future as far as actual job creation, it would have, really, minimal impact, if any impact, on the United States as far as jobs. In fact, would he agree also that some of the experts we have consulted believe these two bills would actually help create jobs in the United States?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRAHAM of Florida. Mr. President, I ask unanimous consent for an additional 2 minutes.

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

Mr. GRAHAM of Florida. I say to the Senator, of all the exports that come in to Haiti, the vast majority come from the United States of America, including most of their food. Therefore, if the purchasing power of the Haitian people is even minimally increased, it will make a good neighbor and a good consumer of U.S. goods even more capable of doing so.

So I agree with the Senator's economic assessment that the modest amount of aid that we are giving, not in the form of aid but rather aid

through trade, will redound to our economic benefit as well as to our sense of national comity with our neighbors in the hemisphere.

Mr. DEWINE. Mr. President, I thank my colleague who has been such a leader on this issue.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Massachusetts.

#### PROVISIONS IN THE OMNIBUS APPROPRIATIONS BILL

Mr. KENNEDY. Mr. President, I expect that before long we will have the opportunity to get into the discussion of the omnibus proposal that has been referred to earlier this evening. I want to just bring some matters in the omnibus bill to the attention of our colleagues in the Senate and also to those in our country who are interested in where we are going to end up in the education provisions of this budget, and to also speak briefly about where we will be on the questions of health care as well.

In this omnibus proposal, as we said—it has been mentioned here—it is really a question of priorities and choices. What we are going to see is real cuts in the Head Start Program. It is a program that is a lifeline for millions of our children to help prepare them to enter grades K–12.

We have strengthened the quality of Head Start Programs in recent years, but we are going to see a real cut in the Head Start Programs under this budget. It is not even going to keep up to the current services. What we are going to see is a real loss to thousands and thousands of children across this country.

The most important programs we have in terms of educational achievement and accomplishment are the afterschool programs that make such a difference to children who may be falling behind, to help assist them to keep up with their classmates, and to also give them the help and assistance that makes a very important difference in terms of their own achievement and accomplishment.

This program is vastly oversubscribed. It is one of the most oversubscribed programs that we have in our educational arsenal. The reason it is oversubscribed is because it has had such success in helping and assisting needy children in our country. That program is going to be further cut under this proposal.

One of the key aspects of the No Child Left Behind was a recognition that what we needed in our schools across the country were smaller class sizes, well-trained teachers, curriculum reform, parental involvement, and afterschool programs. But one of the things we needed was going to be well-trained teachers. We made a commitment in the No Child Left Behind Program that we were going to enhance the teacher quality for the high schools in our country. That program is going

to be cut in terms of teacher quality in upgrading the skills of teachers in our high schools.

Our vocational educational programs, which are so important in permitting young people to acquire skills to be able to compete in an increasingly complex economy, those programs for vocational education are going to be cut.

As well, some 28 percent of the technology educational funding for programs that are in our schools to help our young people develop the insight into the new kinds of technologies which are so important for them to be able to succeed in their own education and to carry on their education will be cut.

Finally, the Pell grant remains at \$4,050 for the fourth consecutive year, while we have seen public college tuition has gone up more than 35 percent over the last 4 years. This is going to mean that tens of thousands—hundreds of thousands—of young students, who have the ability to be able to go on to college, will be denied that opportunity because the Pell grant is falling further and further behind.

If we are talking about an education budget, this is not the education budget.

#### HEALTH CARE

Mr. President, I want to make a brief comment, as well, on the health care crisis that we are facing. I think all of us understand the explosion of health care costs, the increasing number of the uninsured that exists in our society.

We know we passed a Medicare bill for prescription drugs that was more help and assistance to the pharmaceutical industry and the HMOs than it was to our senior citizens.

But it has been against that background, if we look at where we are in terms of the health care budget in this proposal, we have cut a quarter of a billion dollars in real terms from NIH.

Mr. President, this is the age of the life sciences. This is the age of the life sciences, with the human genome project, the increasing opportunities we are going to have with stem cell research, other types of research. We know the extraordinary progress we made out at NIH. We have the real possibilities of breakthroughs in so many different areas of health. If we were to solve the problems of Alzheimer's, we would empty two-thirds of the nursing home beds in my own State of Massachusetts. We are seeing a reduction in the NIH.

We have seen that the support for bioterrorism readiness in our Nation's hospitals is going to have a significant cut. The recruitment for the National Health Service Corps is cut by a third. That is a program that serves the underserved communities of this country. And the Office of Minority Health is cut by 10 percent.

Mr. President, the list goes on. Those who are strongly committed to having opportunities in education and also op-

portunities in the health care field recognize this budget really does not address the needs and the opportunities we have in these areas. I will have an opportunity to get into greater detail at another time about these underfunded programs on this particular proposal.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### OMNIBUS APPROPRIATIONS

Mr. FRIST. Mr. President, I know the last several hours have been difficult hours. A lot of people have been wondering exactly what is going on with the Omnibus bill, which people expect to vote on later tonight, which we will be voting on shortly. We will lay out the unanimous consent request in a few moments.

The language we have been talking about over the last 2, 2½ hours—I will refer to it as the Istook language—everybody agrees should not be in the underlying Omnibus bill. It was brought to people's attention when staff had looked at it late this afternoon, and everybody agrees it should not be in there.

The challenge we have had, from a procedural standpoint, is that the House has passed the Omnibus bill with that in it. Now we are to address it, and both Members of the House, including the Speaker, whom I have talked to directly, and our colleagues say it should not be there.

Procedurally, how do we accomplish that? Once we pass this bill, it would become the law of the land. It should not be there, but it would be there for a period of time. The potential for abuse would exist.

Mutually, we have agreed the only way to eliminate that is to send a correcting enrollment resolution back to the House of Representatives. The problem is they are not there. What we will do shortly—it will be in the UC—is we will pass that resolution, send it to the House. The House will receive that most likely on Wednesday. We also tonight will pass a continuing resolution, which we will comment on shortly, to allow business to continue tonight; and we will address the Omnibus and will vote on the Omnibus bill tonight and hopefully pass that bill. That bill will be sent to the desk, and it will be held there until the House acts, which will likely be Wednesday. At that point, and not until that point, this bill will actually be sent to the House or actually become law. Thus, there will be no window where this clause, this Istook language, will be law. It will not pass until it has been corrected in the bill, taken out of the underlying Omnibus bill.