

Mrs. BOXER. I do, and I thank my colleague from California for her work on this issue.

Mr. DOMENICI. I likewise share this understanding of how the bill should be implemented.

Mr. BINGAMAN. I agree as well.

Mrs. FEINSTEIN. I thank my colleagues.

GILA RIVER WATER SETTLEMENT

Mr. KYL. Mr. President, with Congress having passed S 437, I make a commitment to the San Carlos Apache Tribe to work next year to help attain and have enacted a fair Gila River water settlement for the tribe.

The Gila River runs through the tribe's reservation. San Carlos Reservoir is located within their reservation. The tribe deserves a fair settlement of its water rights claims to that river and I want my colleagues and others to know that I am absolutely committed to achieving that.

I had hoped to have been able to bring to the Senate legislation that would include a Gila River water settlement for this tribe. Unfortunately, we were unable to do that. The tribe is working toward a settlement with a number of groups that use the Gila River. I hope that the tribe, the United States, and the local non-Indian water users will be able to settle the tribe's water rights claims in the coming year. In connection with that effort, I want to send a strong message to the settlement negotiators: I expect everyone to negotiate in good-faith toward a fair settlement.

I encourage all parties, including the San Carlos Apaches, to engage earnestly and vigorously to complete a Gila River water settlement as soon as possible. I will then work with both the Senators from New Mexico and my Senate colleagues to see that such an agreement is ratified through legislation next year.

INTELLIGENCE REFORM

Mr. LAUTENBERG. Mr. President, earlier today, we were led to believe that we had an agreement with House conferees to pass a bill that will reform our intelligence community and make America safer from the threat of terrorism. Now we find out that House Republicans have killed the bill.

This morning, I was one of 11 Senate conferees—6 Republicans, 5 Democrats—who signed the conference report to the Intelligence Reform bill.

Remember: the conference report is to a bill the Senate passed 96-2. The bill the Senate passed, in turn, was based on the recommendations of a unanimous 9/11 Commission—5 Republicans, 5 Democrats.

Now, we find out that House Republican conferees have rejected the conference report. They have snatched defeat from the jaws of victory.

From what I gather, the problem is not with House Intelligence Committee

Chairman HOEKSTRA, who has been leading the conference committee.

What these House Republican conferees have done is a slap in the face of the Senate, the bipartisan 9/11 Commission, and the 9/11 families who have worked so hard to make something positive happen in the wake of a horrific national tragedy.

New Jersey lost 700 of its citizens on 9/11; I have to wonder if these House Republican conferees would be behaving differently if they went through what we in New Jersey went through.

I have been in the U.S. Senate for 20 years now. I have been involved in my share of conference committees. In all those years, I don't believe I have ever seen a little cabal of Members act more unreasonably. These House Republican conferees have killed a bill that 16 of 21 conferees have voted for. Talk about obstructionism.

The fact of the matter is that the conference report we were poised to adopt today is a far cry from the 9/11 Commission recommendations and the bill the Senate passed so overwhelmingly. But there is enough in the conference report to merit going forward. It creates a National Director of Intelligence with real budget authority; it creates a National Counter-Terrorism Center; it bolsters border and transportation security. And it has some provisions to safeguard our civil liberties.

It is time for truth-telling here. House Republicans and the Bush administration have been opposed to this bill from the start. And now they have gotten their way.

I think it is incumbent for the President and for the House Republican conferees who have killed this bill to sit down in person with the 9/11 families, look them in the eye, and tell them that the status quo—that doing nothing—is better than passing a bill so many people worked so long and hard to get.

We are told that we won't adjourn sine die today; that we will come back on December 6 to give the conferees more time to reach an agreement.

The House Republican conferees are absolutely intransigent. It is hard for me to believe that we will be any more successful in the next few weeks than we have been in the past several weeks. I hope I am wrong, but given the President's complete lack of leadership on this matter, it is hard for me to be optimistic.

I have to say I think what has happened is totally contrary to the principles of our democracy, as we turn the power of the people over to a couple of bullies who refused to accept a virtually unanimous vote of the U.S. Senate, the recommendations of the 9/11 Commission, and the will of the largest share of the American people as expressed by their elected representatives.

TAX ISSUES OUTSIDE THE FINANCE COMMITTEE

Mr. GRASSLEY. Mr. President, as I listen to the debate tonight about Sec-

tion 222, which invades the privacy rights of taxpayers, I would like to point out an important lesson in all of this.

The lesson is that tax measures should be left to the tax writing committees. Only the Finance Committee and the Ways and Means Committee have the jurisdiction and the technical expertise to write our Nation's tax laws. And tax laws are technical. As Section 222 in this bill shows, one had better know what they are doing when they write a tax provision. They had better understand the history of the measure and all of its ramifications. In the Finance Committee, we use great care in drafting our tax provisions, and we do it in an open manner. All members can see what we are doing and have a chance to understand why we are doing it, and to comment on it. But frequently the Finance Committee has to go through a rite of scrubbing appropriations bills to remove poorly conceived and poorly drafted tax provisions that try to sneak in at the dark of night. It is not just appropriations bill where this occurs. It happens on many other bills as well. Often, these provisions have been rejected by the Finance Committees as bad policy, only to turn up in an unseen attack on our committee's jurisdiction. As the bill shows tonight, it is not necessarily Members that do this. It is sometimes staff who add an idea. This allows staff to bypass the scrutiny of the entire Finance Committee; 21 senior Members of the Senate are deprived of their right to pass judgment on a tax measure. Let me give some examples of what we have had to fend off lately. Last week, we had to defeat an appropriations proposal that would have cut off funding for Federal agencies that help the IRS obtain information about Americans investing in foreign countries.

That measure would have undercut U.S. tax law enforcement and damaged our initiatives to combat tax shelters. It would have damaged our international competitiveness and undermined our Nation's efforts to combat money-laundering and terrorist financing.

I am confident that the proponents of this measure never knew about its broader ramifications. But that is what happens when tax proposals evade the scrutiny of the Finance Committee.

Here is another example. Recently, the Armed Services Committee sought to create a charity for assisting servicemen and their families. On its face, this is certainly a good cause that we can all support. Unfortunately, the statutory language drafted by the Armed Services Committee had very serious flaws and was unworkable under the Tax Code. It was only after significant time and energy by the Finance Committee, exerted after the fact, that we fixed something that shouldn't have been broken in the first place. If Members will learn to work with the Finance Committee, instead of bypassing it, we can usually achieve the results they seek.

Here is an example. The House Appropriations Committee tried to expand the definition of census areas for determining eligibility for a certain tax program. This provision was not agreed to by the Senate Appropriators. The provision was later passed in the JOBS bill. This highlights that we try in good faith to work with Members who will work with the committee. So let me send a very clear message. The controversy around this appropriations bill should serve as a warning to all who would bypass the jurisdiction and expertise of the congressional tax writing committees. We work to defeat stealth tax measures not just to protect our committee's jurisdiction, but to protect the American people from bad ideas.

In the Senate it is the Finance Committee, and only the Finance Committee, that has the experience, expertise, and seasoned resources to process tax laws for our Nation.

Members and staff should remember today's events the next time they are approached to insert a "harmless" tax measure into an unrelated bill.

ADDITIONAL STATEMENTS

REED IRVINE

• Mr. SESSIONS. Mr. President, I rise to commemorate the life of a noted conservative journalist, media critic, and a leading authority on media bias, Reed Irvine. Reed Irvine passed on November 16, 2004, and is known as the man who founded the organization Accuracy in Media. He leaves a legacy of fighting a left-leaning media and was a long-time critic of the big three networks at a time when only three network nightly news shows dominated the distribution of information to the public.

Reed Irvine was born in Salt Lake City, UT, the son of William J. and Edna May Irvine. He graduated from the University of Utah at the age of 19 in 1942, having been elected to Phi Beta Kappa. He enlisted in the Navy and was selected to take a crash program in the Japanese language, emerging as an interpreter-translator with a commission in the U.S. Marine Corps. He participated in the campaign of Saipan, Tinian, Okinawa as an intelligence officer with the 2nd Marine Division, and served in the occupation of Japan from 1945 to 1948.

After the war, Mr. Irvine was an economist, Fulbright scholar and former Federal Reserve official. He joined the Federal Reserve Board in 1951 as an economist in the Far East Section of the Division of International Finance. Mr. Irvine wrote extensively about the free market and advocated sound monetary and fiscal policy.

He founded Accuracy in Media in 1969 and its sister organization, Accuracy in Academia, in 1985. Mr. Irvine pioneered the concept of a citizens' media watchdog organization that criticized the er-

rors and omissions of the mainstream press, buying ads to publicize serious errors and buying stock in media companies to enable Accuracy in Media representatives to attend their annual meetings to discuss its complaints with the chairman. Irvine was tenacious in his quest for the full truth in media.

Mr. Irvine is survived by his wife of 56 years, Kay Araki Irvine, his son and three grandchildren. Reed Irvine will be remembered as being at the forefront of the conservative movement's attack on media bias and has left us four books that study the bias of the media.

In 1969, when Reed Irvine began his crusade, most Americans trusted the mainstream media. Americans received the biased news coverage and believed it. Today, the liberal bias in media, Hollywood, and academia is widely accepted as a fact of life.

Some day, I hope that the mainstream media will lose its leftwing bias. I hope for the day when academia will focus all its attention on scholarship and leave the liberal indoctrination for the pundits. But, I do not expect those days to come very soon. However, thanks in large part to the life's work of Reed Irvine and the movement he helped launch, Americans have now accepted media bias as a fact of life. The American Society of Newspapers published a study in 1999 that showed 78 percent of Americans believe there is a bias in the media.

I believe this understanding by the American public promotes a more informed democracy. People watch the news with a critical eye. Students question their professors. Americans are seeking out talk radio, alternative media. The Internet is flourishing.

Thanks to dedicated watchdogs such as Reed Irvine, the American people now see through the bias in the media. Dan Rather's ludicrous reporting on President Bush's National Guard service was debunked in no time on the Internet and talk radio. A liberal bias that was once lamented by conservatives and ignored by the public has now become a running joke among conservatives and an accepted fact in the minds of Americans. People, who once powerlessly accepted the news however they could get it, are now voting with their remote controls.

When President Bush delivered his acceptance speech at the Republican National Convention this year, 7.3 million people saw it on Fox. Meanwhile, 5.9 million watched on NBC, 5.1 million on ABC, 5 million on CBS, 2.7 million on CNN and 1.7 million on MSNBC, according to Nielsen Media Research. Fox also beat the broadcast networks throughout the rest of the Republican Convention coverage—this, despite the fact that ABC, CBS, and NBC are available in about 110 million homes, while Fox is carried in about 85 million. Reed Irvine's message has been received, and the people are fighting back.

News is now reported in countless ways, 24 hours a day, and the American

people are deciding for themselves what it all means. For this new coverage we can thank the Fox News channel, and the countless talk show hosts, magazines, Internet sites, and organizations. However, I think the most important gift that has been given to our country is the critical eye of the American public. A voting public that watches the news with a critical eye is one that cannot be easily manipulated. A college student who asks his professor tough questions will end up better educated and ready for the world.

For this wonderful gift, we owe a special thanks to Reed Irvine.●

TRIBUTE TO DR. SAM BILLISON

• Mr. BINGAMAN. Mr. President, today I wish to mark the passing of Dr. Sam Billison, a recipient of a Congressional Silver Medal, who died earlier this week. He was a great American.

In 2001, the President of the United States awarded Congressional Gold and Silver Medals to Sam and his fellow Navajo Code Talkers. Of all the honors Congress can bestow, these Medals are often considered the most distinguished, expressing the gratitude of the Congress and the entire nation.

With this award, the Code Talkers joined the ranks of an exclusive group of people—Robert Kennedy, Harry Truman, General H. Norman Schwarzkopf, Nelson Mandela, General Colin Powell, and President Reagan, to name a few.

As with many other recipients, Sam and his fellow WWII Code Talkers were recognized for valor, for their contributions to the national good, for their defense of freedom and democracy. However, unlike the others, they set several precedents, not the least of which that they were the first Native American Indians to receive Congressional Gold Medals.

This is especially poignant when one realizes the cultural context in which Sam and his fellow Navajo were raised. Subjected to alienation in their own homeland, discouraged from speaking their own language, this group of Native Americans rose above adversity, voluntarily came forward to develop the most significant and successful military code of the time saving countless American lives, and then honored their oath of secrecy by stepping back into the obscurity from which they came.

Many of these marines have finally come forward to be appropriately recognized and honored, but many took their secret to the grave. I am happy that in the twilight of Sam's life, he was able to see Congress finally mark that place in history so long overdue the Navajo Code Talkers.

We, as a nation, are but a product of those who have come before us—their accomplishments, their contributions, and their sacrifice in the struggle for freedom and democracy. We must never forget that our society is made possible only through the sacrifice and hard work of thousands of American men and women.