

Let me also be clear we did have the official cost estimate on the Medicare bill before the vote, and that is the one from the Congressional Budget Office. As I have said, as both Senators from Minnesota know, the Congressional Budget Office is God when it comes to Congress having to go by a figure of what something costs. It doesn't matter what the Treasury Department says, OMB, or even CMS. The Congressional Budget Office is what we go by. If you don't go by it, you are subject to a point of order. That point of order takes an extraordinary majority to overcome.

No government official should ever be muzzled for providing critical information to Congress. If that happened last year, that was wrong. These accusations about whether information was withheld have raised questions as to whether Congress had access to a valid and thorough cost estimate for the prescription drug bill before the final vote. It should also be made clear that while the cost analysis by the Office of Actuary is perhaps helpful, it is not the cost analysis Congress relies upon but that of the Congressional Budget Office, as I have already said. It is their cost estimate we use to determine whether legislation is within authorized budget limits.

For Congress, if there is a true cost estimate, it is by the Congressional Budget Office. The Congressional Budget Office cost estimate is the only one that matters. When Congress approved a \$400 billion reserve fund to create a Medicare prescription drug benefit, this meant \$400 billion, according to the Congressional Budget Office, not according to the Center for Medicare Services.

With all due respect to the dedicated staff working at the Center for Medicare Services Office of the Actuary, their cost estimates were irrelevant to the process. The Congressional Budget Office worked closely with the conferees to the prescription drug bill and the staff to ensure a full analysis of the projected costs was complete. The conferees and staff regularly and constantly consulted with the CBO throughout the development of the Senate bill and in preparation of the conference agreement. The Congressional Budget Office worked nearly around the clock and on weekends for months to complete an extremely thorough and rigorous cost analysis of the prescription drug bill. That cost estimate, the official cost estimate, was available to every Member of Congress before the measure was presented to the House or Senate for a vote.

It is also pretty disingenuous for the opponents of the Medicare bill—on the other side of the aisle, especially—to suggest the price tag for the Medicare bill causes them concern. The fact is, they supported proposals that cost hundreds of billions more than what we ended up passing last year. The House Democratic proposal last year would have cost nearly \$1 trillion, and the

Senate Democratic proposal in 2002 cost \$200 billion more than the bill that was enacted into law.

Further, there were more than 50 amendments offered on the floor of the Senate during the debate on the Senate bill that would have increased the cost of the bill by tens of billions of dollars.

The bottom line is, there should be no doubt in anyone's mind we had a true cost estimate for the prescription drug bill last year, and everyone had access to it before the vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### ETHANOL PENALTY IN HIGHWAY TRUST FUND FORMULA

Mr. DAYTON. Mr. President, I welcome the opportunity to express, on my behalf and that of my colleague and certainly the people of Minnesota, my gratitude to the Senator from Iowa, chairman of the Finance Committee, our distinguished neighbor to the south, for his phenomenal efforts in changing the ethanol penalty in the highway trust fund formula that will provide enormous benefit in the Senate bill to Minnesota and to his own State of Iowa. I have also been working with my colleague, the Senator from Minnesota, to try to do our best in our small way to support that effort and to be vigilant on the floor with regard to our caucuses. I certainly want to give credit where credit is due to the distinguished chairman of the Finance Committee for using his leadership position, and it is an enormous benefit to the State of Minnesota.

I express my gratitude and the gratitude of all Minnesotans to the Senator from Iowa for his initiative and leadership.

#### PENSION CONFERENCE REPORT

Mr. DAYTON. Mr. President, I thank my colleague from Minnesota, the Presiding Officer, for a letter I just signed with him to the employees of Northwest Airlines and also the steel companies in northeastern Minnesota on his initiative. This letter indicates both of us support the pension conference report which, fortunately, is going to be voted upon tomorrow in the Senate. I thank the Senator for his initiative on that, his calls imploring me to do what is in the best interest of important companies in Minnesota and the thousands of employees whose pensions depend upon those companies. I concur with my colleague and appreciate his giving me the opportunity to send that joint communication out to the thousands of Minnesotans for whom we will be acting tomorrow, in a bipartisan way, to protect for the future.

#### IRAQ

Mr. DAYTON. Mr. President, I want to take this opportunity to concur

with the sentiments that have been expressed earlier by a couple of my colleagues regarding the heroism of our Armed Forces in Iraq. However, I also want to point out our proper admiration for their extraordinary patriotism and courage and our sad but necessary condolences to the families of those Americans who are still losing their lives in increasing numbers in Iraq or who are suffering serious life-threatening and lifelong disabling injuries from those battles, those appropriate tributes and condolences and our unanimous bipartisan support in this body for our troops—who continue to risk their lives there and in Afghanistan and Bosnia and Kosovo—should not prevent us from questioning the Bush administration's policies or lack of policies which are exposing those courageous Americans to those continuing attacks and ask what are the administration's plans to respond to the present escalation of attacks in Iraq. What are the administration's plans to bring all of our courageous men and women home with their victory secured?

In fact, we owe it to them, those whose lives are on the line on our behalf, whose families are enduring every day and night the fear it could be their loved one who will be next to give up his or her life in the service of their country or their bodies, we owe it to them, those serving, and to their families to ask the hard questions of the administration and not hide behind platitudes.

I am, for one, tired of sitting in secret and top-secret briefings, either as a Member of this Senate or as a member of the Senate Armed Services Committee, and being told how well everything is going over in Iraq, given the chorus line again and again, just to find out, often the next day, that that is not true.

Last Tuesday a week ago, late afternoon, then Wednesday morning in Iraq, I was given those same kind of assurances by representatives of the highest level of the administration, the Department of Defense, and our military officials. Hours later, American contractors were ambushed in Iraq and bodies mutilated and displayed in obscene ways in that country. And hours after that, American marines were attacked and, in fact, were surprised, so that if it had not been for the intervention of U.S. commandoes, private security forces, even worse casualties could have occurred.

In the next few days, the escalating attacks in Iraq have caused the largest number of Americans to be killed of any time in this last year since the war began. It seems clear, based on the information I have been provided, that our military intelligence was unable to anticipate those attacks or to forewarn our Armed Forces of their imminence, their severity, which also resulted in additional casualties.

I am deeply troubled by reports in the press that the administration has

been intentionally trying to downplay the seriousness of those insurrections. Last Wednesday, as Americans were being mutilated, the only public event on the President's schedule was a meeting with members of the Baseball Hall of Fame. That night, he conducted a fundraiser for his reelection. Last Monday, as other Americans were losing their lives, including a Minnesota soldier who was 19 years old, from Moose Lake, MN, giving his life in Iraq, the President threw out the opening pitch at the baseball game in St. Louis, MO. That night, he held another fundraiser for his reelection that raised \$1.5 million. Then he flew on to, according to reports, his ranch in Crawford, TX, for the rest of the week.

I don't think you can downplay, or should try to downplay, the seriousness of these attacks. I think we should face the realities that are occurring, and the Congress and the American people should be told what is happening, why it is happening, and how it is we are

going to respond to these atrocities without any greater loss of American life. That is absolutely essential. We are heading to a weekend of great religious significance, following a weekend of great religious significance to many of our citizens, and at this time what we are doing there is something that is deeply troubling to this Senator, as I know it is to many of the people I represent in Minnesota. We want to see a victory there. We want to see the sacrifices that have been made by American troops justified, and we want it preserved as a victory that will last. But we want to know from this administration what the plan is, what the timetable is, what is going to happen, and what we are doing to forestall these events and warn our forces so they are not ambushed or caught unaware and lose their lives.

We in Congress deserve to get the facts and the truth. Starting tomorrow morning, when we have a briefing from the Secretary of Defense and others in

the military command, it is time to give us the facts, the truth, the real situation, and not put on any white-wash or window dressings but to tell us what we as elected representatives of the people of this country have a right to know, and what the people of America have a right to know. What is happening? Why is it becoming more severe? What are the consequences to the troops? And what are the administration's intentions to deal with them?

I yield the floor.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until tomorrow, Thursday, April 8, at 10 a.m.

Thereupon, the Senate, at 8:08 p.m., adjourned until Thursday, April 8, 2004, at 10 a.m.