

The two Senators succeeded in winning Senate passage of their amendment to the Kennedy-Kassebaum health insurance health protection bill with 70 votes in favor. Unfortunately, their amendment was defeated in the conference committee.

The two Senators continued working together to enact their historic legislation. Tragically, the Senate effort has lagged since Senator Wellstone's death, despite the present majority leader's pledge in his remarks on the Senate floor of October 24, 2003 "to ensure that mental health is appropriately addressed in this Congress." That legislation has not been voted on in the Senate, either in the last session of Congress or in this one.

It would be the best possible commemoration of Senator Wellstone's life, and the giving of his life in the service of his country, for the Senate to pass that legislation and insist that it becomes law.

There is so much more that Paul Wellstone achieved, such as protecting women and children from domestic abuse, on which he and his wife Sheila worked closely together, and which he wanted to achieve before his life was tragically ended.

His uniqueness recalls the words of Ernest Hemingway:

Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer quality than bravery in battle or great intelligence. Yet it is the one essential, vital quality of those who would seek to change a world which yields most painfully to change.

Paul Wellstone dedicated his life to change the world for the betterment of people. That is why he and Sheila meant so much to so many people in Minnesota and across the country.

All of us—their family, friends, and admirers—still feel their loss. They and Marcia, Mary, Tom, and Will all had so much life left to live. We will cherish them forever.

I close with a brief passage from Paul Wellstone's political autobiography, "The Conscience of a Liberal."

When I am in coffeeshops with people, no one asks, Are you left, right or center? No one cares. What people want is that your politics be about them.

Tip O'Neill once declared, "All politics is local." But I would go further. All politics is personal. These are people who more than anything else yearn for a politics they can believe in. They want politicians whom they can trust and who are at least most of the time on their side.

With Paul Wellstone, people had the very best on their side all of the time. He will always be missed. May his life—all of their lives—be an example and inspiration to us all.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. The hour of 12:30 having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until the hour of 2:16 p.m., and

reassembled when called to order by the Presiding Officer (Mr. ENSIGN).

#### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006—Continued

##### AMENDMENT NO. 2213

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided on the motion to waive the Congressional Budget Act with respect to Kennedy amendment No. 2213.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, this amendment is a very modest amendment. It effectively adds \$200 for students who receive Pell grants. These are students who come from families with low incomes. Pell grants have been a backbone of our education policy and are essential to providing these students an opportunity.

We initially passed in the budget a \$5.4 billion increase in funding for higher education. All of that was eliminated. We have an opportunity this afternoon to make a small difference for those who receive Pell grants.

This amendment is about education. Education is about opportunity. This amendment is about competitiveness because in today's global economy we need well-educated individuals.

This amendment is about national security because education is the key to having a strong national security.

Finally, it is about fairness. Americans understand fairness. They believe in education.

I hope this amendment will succeed.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I agree with everything Senator KENNEDY has said about the importance of increasing Pell grants. But the difficulty is, in adding this appropriated fund, in his effort to add additional money, there is no offset. We have a budget of \$145 billion. We have made the allocations as best we can.

Since I took over the chairmanship of the Appropriations subcommittee, in 1995 we have increased the Pell grants on an annual basis from \$2,340 to \$4,050. I would like to increase them more, but there simply is not enough money to do so. If the Senator from Massachusetts has a suggestion as to some other priority which is of lesser importance, I would be glad to listen. This is a carefully crafted bill. Much as I would like to increase the Pell grants, there simply are not the funds to do so.

I am constrained to ask my colleagues to support the point of order.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. KENNEDY. What is the issue before the Senate?

The PRESIDING OFFICER. The motion is to waive the Congressional Budget Act in relation to the Kennedy amendment.

Mr. KENNEDY. Further inquiry: An aye vote effectively would be related to keeping the pending amendment alive?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the motion to waive the Budget Act. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 51, as follows:

[Rollcall Vote No. 268 Leg.]

##### YEAS—48

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Harkin	Obama
Boxer	Inouye	Pryor
Byrd	Jeffords	Reed
Cantwell	Johnson	Reid
Carper	Kennedy	Rockefeller
Chafee	Kerry	Salazar
Clinton	Kohl	Sarbanes
Coleman	Landrieu	Schumer
Collins	Lautenberg	Snowe
Dayton	Leahy	Stabenow
DeWine	Levin	Talent
Dodd	Lieberman	Wyden

##### NAYS—51

Alexander	Dole	McCain
Allard	Domenici	McConnell
Allen	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Frist	Roberts
Brownback	Graham	Santorum
Bunning	Grassley	Sessions
Burns	Gregg	Shelby
Burr	Hagel	Smith
Chambliss	Hatch	Specter
Coburn	Hutchison	Stevens
Cochran	Inhofe	Sununu
Conrad	Isakson	Thomas
Cornyn	Kyl	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner

##### NOT VOTING—1

Corzine

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. SPECTER. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank my colleagues for their prompt arrival in the Chamber to vote. We had an 18½-minute vote. I don't think we have had too many under 20 minutes, recently, at least, so we are moving right along. I thank my colleagues.

The PRESIDING OFFICER. The Senator from Hawaii.

##### AMENDMENT NO. 2222

Mr. INOUYE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUYE], for himself, and Mr. COCHRAN, proposes an amendment numbered 2222.

Mr. INOUYE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To rename certain buildings of the centers within the Centers for Disease Control and Prevention)

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. (a) The Headquarters and Emergency Operations Center Building (Building 21) at the Centers for Disease Control and Prevention is hereby renamed as the Arlen Specter Headquarters and Emergency Operations Center.

(b) The Global Communications Center Building (Building 19) at the Centers for Disease Control and Prevention is hereby renamed as the Thomas R. Harkin Global Communications Center.

Mr. INOUYE. Mr. President, today I rise to pay tribute to two of our most distinguished colleagues, Senator ARLEN SPECTER and Senator TOM HARKIN. I wish to recognize both for their many outstanding contributions to our country's disease and injury prevention and emergency preparedness through their work with the Centers for Disease Control and Prevention.

Since 1995, when Senator SPECTER and Senator HARKIN became chair and ranking member of the Labor, Health and Human Services, and Education Appropriations Subcommittee, funding for the CDC has tripled, from a little over \$2 billion to more than \$6 billion. This funding has been used by CDC to achieve its mission of promoting health and quality of life by preventing and controlling disease, injury, and disability.

In 1999, Senators SPECTER and HARKIN visited the CDC main campus in Atlanta, GA. They were surprised to find world-class scientists and health care professionals working in substandard, 50-year-old buildings. They recognized that beyond the aesthetics, the facilities were hindering the ability of the scientists to respond to disease outbreaks with the full force of modern technology.

They set out to rebuild the infrastructure of the CDC to ensure that it was capable of meeting its mission. In 1999, the budget for CDC buildings and facilities was \$17 million, barely enough to make critical repairs, such as patching leaky roofs. However, since 2000, under the leadership of Senators SPECTER and HARKIN, over \$1.3 billion has been invested in the infrastructure of the CDC.

These funds have been used to build laboratories capable of handling the most dangerous pathogens, such as ebola, anthrax, and smallpox. The fore-

sight of these two Senators was confirmed by the essential role the new facilities played in responding to the anthrax attack in 2001, the Marburg virus outbreaks, and the potential for an influenza pandemic.

The latest additions to the CDC campus are now complete and include two new buildings dedicated to responding to public health emergencies and disseminating information to health professionals. The CDC Headquarters and Emergency Operations Center will be the new home to the Office of the Director, Coordinating Officer of Terrorism Preparedness and Emergency Response, Office of Security and Emergency Preparedness, and the Emergency Operations Center. It will provide permanent, secure, and consolidated command and control areas for CDC's response to natural disasters, acts of terrorism, and outbreak responses. It allows for CDC's executive leadership and other critical headquarters functions to relocate to one building to allow for increased coordination and communication.

The Global Communications Center will support outreach and worldwide collaborative efforts. The center is a multifunctional, comprehensive scientific learning facility encompassing functions key to CDC's mission and goals for public health, such as outreach, research, and programmatic foundations. The Global Communications Center not only provides a physical place to bring the public health community together for training, information exchange, and collaboration, but it is also the technological link for CDC employees around the globe, from Alaska to Zimbabwe.

It is fitting that these flagship buildings be named for the two Senators who have led the Senate in providing funding for public health and research. I am pleased to offer this amendment, cosponsored by my dear friend from Mississippi, Senator COCHRAN, to designate the two new CDC buildings as the ARLEN SPECTER Headquarters and Emergency Operations Center and the THOMAS R. HARKIN Global Communications Center.

Mr. President, the amendment has been cleared by both sides.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2222) was agreed to.

Mr. INOUYE. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 2194

Mr. REED. Mr. President, I ask unanimous consent that the pending amendment be laid aside, and I further ask unanimous consent to call up amendment No. 2194 that is pending at the desk.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED, for himself, Ms. COLLINS, Mr. KENNEDY, Ms. SNOWE, Mr. KERRY, Ms. CANTWELL, Mr. HARKIN, Mr. BAUCUS, Mr. COLEMAN, Mr. DORGAN, Mr. OBAMA, Mr. SCHUMER, Mr. LEAHY, Ms. STABENOW, Mrs. CLINTON, Mr. DURBIN, Mrs. LINCOLN, Mr. DAYTON, Mr. REID, Mr. BAYH, Mr. LEVIN, Mr. ROCKEFELLER, Mr. LAUTENBERG, Mr. SARBANES, Mr. JEFFORDS, Mr. SALAZAR, Ms. MIKULSKI, Mr. BINGAMAN, Mr. LUGAR, Mr. SMITH, Mr. KOHL, Mr. DODD, and Mr. DEWINE, proposes an amendment numbered 2194.

Mr. REED. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for appropriations for Low-Income Home Energy Assistance Program)

In title II, in the matter under the heading "LOW-INCOME HOME ENERGY ASSISTANCE", in the matter under the heading "ADMINISTRATION FOR CHILDREN AND FAMILIES", after the first sentence insert the following:

In addition to amounts appropriated under the preceding sentence, for making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621 et seq.), \$2,920,000,000, which amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. REED. Mr. President, I ask unanimous consent to add Senators DODD and DEWINE as cosponsors.

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

Mr. REED. Mr. President, last week Senator COLLINS and I came to the floor to offer an amendment on the Transportation-Treasury appropriations bill to increase funding for the Low-Income Home Energy Assistance Program, more commonly known as LIHEAP. We would have increased the appropriations to the authorized amount of \$5.1 billion. With Senator COLLINS' support, and with the help of 53 other Senators, we came forward to make a statement that in this cold winter that is approaching, with soaring energy prices, Americans needed help and we could do better. Fifty-three Senators, Democrats and Republicans, northerners and southerners, east coasters and west coasters supported our amendment when it came to a vote. But it failed to pass because of a procedural need to acquire 60 votes. We, joined by 30 of our colleagues, are here again today to offer our amendment to the Labor-HHS appropriations bill.

Our amendment provides \$2.92 billion in emergency spending for the LIHEAP program. This amount, coupled with the \$2.18 billion in the Labor-HHS appropriations bill, will fully fund LIHEAP at the authorized level of \$5.1 billion, a level authorized by this Congress and signed into law by the President just 3 months ago. At this level, LIHEAP will cover the full increase in

recipients' heating costs so they would not be forced to pay more out of their very limited budgets for this winter's heating season. It is imperative that this appropriations bill provide additional resources to the LIHEAP program so families are safe and warm this winter.

As we speak, there is a storm raging in the Northeast in New England. We expect in some parts of the region to have snow this evening. Winter is coming. It is coming with a particular ferocity at this moment. But something else is already happening: Rising energy prices, extraordinary increases in energy prices, much of it as a result of Hurricane Katrina that struck the gulf coast area. As I have said before, the first surge was high water that overwhelmed low-income people in New Orleans and Mississippi and Alabama and other cities along the gulf coast. The second surge is high energy prices which are about to overwhelm many individuals in the Northeast and the Midwest and throughout this country where the temperatures begin to fall as they do this time of year. We have to do more to protect these people because we know it is coming.

One of the lessons from Katrina is that we understand that there are people who are vulnerable, and they have to be protected before the storm hits, not afterwards. This is an opportunity to do that for people throughout this country who are vulnerable this winter to rising energy prices and falling temperatures.

I particularly thank Senators SPECTER and HARKIN for their strong support of the LIHEAP program. I realize the difficult choices they faced this year in determining spending limits for the Labor-HHS appropriations bill. I appreciate their support for this amendment to add emergency spending for LIHEAP.

On Saturday, the New York Times printed an editorial titled "Washington's Cold Shoulder." I ask unanimous consent that a copy of the editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 22, 2005]

#### WASHINGTON'S COLD SHOULDER

The weather is turning cold, and home heating fuel is increasingly unaffordable. The Energy Department recently reported that households should expect to pay 48 percent more this year for natural gas, on average, and nearly a third more for oil and propane—assuming a "normal" winter and no further supply disruptions like Katrina.

In and of themselves, those increases will be too much for an estimated seven million low-income Americans, including old people, disabled people and families with children. On top of gasoline prices that are already high and wages that are stagnating, the rising cost of heating fuel is bound to be devastating.

Yet Congress is balking at approving an additional \$3 billion in federal heating subsidies that would help meet the coming need. (Lawmakers allocated \$2 billion to the subsidy program last summer, before Hurricane

Katrina and Rita sent prices soaring.) Earlier this month, and again on Thursday, measures in the Senate to provide the extra funds were defeated, largely by a bloc of Republican lawmakers, though with each vote, a handful of Republicans voted in favor and a few Democrats voted against.

At the same time, Republican majorities in Congress are unrelenting in their drive to pass \$70 billion in new tax cuts this fall, most of them for wealthy investors, and \$35 billion in spending cuts, most in programs that benefit the poor.

With Congress's priorities so obviously skewed, the best chance for adequate heating subsidies this winter lies with President Bush. Advocates for the poor are hoping that Mr. Bush will ask for the additional money in a future hurricane-related emergency spending request to Congress. But so far, Mr. Bush has not said whether he will ask for more heating aid, and, if so, when or how much.

This sad lack of urgency is seen elsewhere in the administration as well. Asked at a news conference earlier this month whether the administration would support bolstered subsidies for low-income families and the elderly, Secretary of Energy Samuel Bodman suggested that everyone just wait and see. "I can't respond to that," he said, "other than by saying we're going to do our very best, first, to see what we can accomplish by the reduction in demand for energy."

That's unacceptable. Heating subsidies are not a conservation issue. Vulnerable people need to keep the heat on to keep from getting sick, or worse. Such subsidies help everyone by maintaining public health and safety, ensuring that others don't become ill and spread illness, or resort to hazardous means of heating that can cause fires. Heating aid for the needy is also a matter of common decency, which ordinary Americans are entirely capable of, though not, so far, their elected leaders.

Mr. REED. The editorial says that our congressional priorities are skewed, and I agree. As the editorial points out, Members of Congress are continuing an unrelenting drive to pass \$70 billion in new cuts this fall in taxes, most of them for wealthy investors, and to cut \$35 billion in spending, mostly in programs that benefit the poor. The vulnerable people need to keep the heat on to keep from getting sick, becoming homeless, or worse.

Because of our budget rules, we are prevented from getting a straight up-or-down majority vote on our amendment to provide assistance to seniors, low-income working families, and disabled individuals. This amendment will ensure that they will be protected from the ravages of the cold this winter: aid that will ensure children will not become ill or malnourished, aid that will ensure families do not resort to hazardous means of heating that can cause fires. Unfortunately and regrettably, every heating season there is a terrible incident where some poor person decides their stove can provide them some heat, and they leave it on, causing a fire with tragic consequences. I hope that will not be the case this year. If we don't provide support for these families, they have very little choice in many cases, other than to improvised heat, and that often leads to tragedy.

As the New York Times editorial states: Heating aid for the needy is a

matter of common decency. Is our memory so short that we have forgotten the pledge we made to low-income families after Hurricane Katrina to address the economic disparity in our Nation that literally leaves many out in the cold or in the dark?

Rising energy prices could financially wipe out working-class families and seniors this winter. Energy costs for the average family using heating oil are estimated to hit \$1,600 this winter, an increase of \$380 over last winter's heating season. For families using natural gas, prices could hit about \$1,400, an increase of \$500. For families using propane, prices are projected to hit \$1,400, an increase of about \$325. For families living in poverty, energy bills are now over 20 percent of their income compared to 5 percent of the income of other households, more affluent households.

In America, no one should be forced to choose between heating or eating. No senior citizen should be forced to choose between buying necessary pharmaceuticals and keeping the heat up. But unfortunately, low-income working Americans are facing these decisions each day, and they will become more dire and more consequential as the winter approaches.

The heat-or-eat dilemma is a real one for poor families. A study by the RAND Corporation found that low-income households reduce food expenditures by roughly the same amount as their increase in heating expenditures. That is an awful tradeoff, one that I don't think any American would like to see take place.

The Social Security Administration recently announced its cost-of-living adjustment for 2006 for seniors. The COLA is about a \$65-per-month increase for the average retired couple. But with this winter's energy prices, that increase will be wiped out in an instant. So we have to do better. Even at a funding level of \$5.1 billion, LIHEAP would still only serve about one-seventh of the 35 million households that are poor enough to qualify for assistance. So we are just talking about serving the very neediest in our community. This is a program that, frankly, could use many more dollars to serve every qualified individual. We are just reaching the neediest among us. If we don't pass this appropriations, we won't even reach those individuals.

I urge all my colleagues to join us to secure \$2.9 billion in additional LIHEAP funding and pass this amendment. I urge an up-or-down vote on the amendment. As a nation, we must step back and evaluate our priorities. American families are facing an energy emergency. If we can find money for tax cuts, then we can find funds for LIHEAP. Now is not the time to sacrifice the health and safety of American families. We must prioritize, and the priorities start with providing affordable energy to low-income and middle-class Americans as they struggle with extraordinary increases in

prices and the looming cold of this winter.

I am pleased and proud to be joined in this effort by my colleague from Maine, Senator COLLINS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to join with my colleague and friend from Rhode Island, Senator REED, in offering an amendment that would increase funding for the Low-Income Home Energy Assistance Program, commonly known as LIHEAP, by \$2.9 billion. I want to begin my remarks by thanking the manager of this bill, Senator SPECTER, for his strong commitment to the LIHEAP program. Despite difficult budgetary constraints, the chairman has found an additional \$200 million in LIHEAP funding above the administration's request, bringing the total to approximately \$2.2 billion. I do recognize and very much appreciate that effort.

Unfortunately, even with this additional funding, we are still far short of the amount of funding that is needed for this vital program. Just a few months ago, President Bush signed into law the Energy Policy Act of 2005. This law, which passed the Senate with an overwhelming vote, authorizes \$5.1 billion for the LIHEAP program for fiscal year 2006. The Reed-Collins amendment would increase LIHEAP funding to the fully authorized level.

Our Nation has now been struck by three extremely powerful hurricanes in as many months. While these hurricanes have been devastating to the people of Florida and the gulf coast, they have also had a major impact on the rest of the Nation. Just as the Nation should be building oil supplies for the winter heating season, these hurricanes have disrupted our already strained supplies and sent the cost of both home heating oil and gasoline, as well as natural gas, to painfully high levels.

While high energy prices pose a challenge for almost all Americans, they impose an especially difficult burden on low-income families and our elderly citizens who are living on limited incomes. Low-income families spend a greater percentage of their incomes on heating their homes, and they have fewer options available as energy prices soar. High energy prices can even cause families to choose between keeping the heat on, putting food on their table, or buying much-needed prescription drugs. In our country, the most prosperous country on Earth, surely no family should have to make such terrible choices.

I believe our amendment reflects a realistic appraisal of the need for more assistance in this program. Let me briefly describe the situation that we are facing in my State of Maine, a State where snow is predicted for later today. While the official start of winter is still 2 months away, temperatures have already fallen below freezing in

much of Maine. In Maine, 78 percent of all households use home heating oil to heat their homes. Currently, the cost of home heating oil is approximately \$2.50 per gallon, although I recently paid 20 cents more per gallon to fill my tank.

That price, the \$2.50 price, is some 60 cents above last year's already high prices. These high prices greatly increase the need for assistance and at least 3,000 additional Mainers are expected to apply for LIHEAP assistance this year. With more people in need of help, the benefit is expected to fall by roughly 10 percent, to about \$440 per qualifying household.

Unfortunately, at today's high prices, \$440 is only enough to purchase approximately 173 gallons of oil. That is far below last year's equivalent benefit of 251 gallons and not nearly enough, not even close, to what will be needed by these families to get through Maine's winter.

With rising prices and falling benefits, we have a real problem. To purchase the same amount of oil as last year, Maine would need an additional \$10.8 million in LIHEAP funding. With winter fast approaching and energy prices soaring, home heating bills are set to pound family budgets mercilessly. For low-income families, LIHEAP funds can be a factor that prevents them from having to choose between turning down the heat to the point where they are at risk for hypothermia or putting food on the table, paying their bills or buying prescription drugs.

Surely we can do better to help those who otherwise will truly suffer during the winter months.

I call upon all of our colleagues to join us in this amendment or surely it will be too late to help those who are going to be in dire straits this winter. Let us act now to provide the funding that is so sorely needed.

I thank the Chair.

Mr. BYRD. Mr. President, I have been around the Senate for a long time, and I have been serving West Virginia for a long time. I have seen many seasons in my time in this Senate, and I know that with each season comes its challenges. There is strength and beauty in West Virginia winters, but the impacts of recent hurricanes and other energy challenges will test our ability to meet our needs this coming season. These colder temperatures mean that West Virginians and Americans in many regions of this country will be struggling to heat their homes. I know, as winter approaches, many West Virginians will be faced with tough choices about whether to use their paychecks to heat their homes, to fill their cars with gasoline, or to buy winter clothes for their children. I sympathize with those who have to make these tough choices, and these hard-working Americans deserve some measure of relief.

I strongly support the Reed/Collins amendment. We need to fully fund the

Low Income Home Energy Assistance Program, LIHEAP. This program is critical for those in my State and across the country who will be facing a tough winter. Colder winter months, coupled with the simultaneous challenges of an increase in poverty, a growing elderly population, and ever-increasing home heating costs, will make this program crucial. The LIHEAP program fills the gap for the poorest and most vulnerable of our citizens, allowing them the sanctuary of a warm home, something to which each and every American is entitled. More than 130,000 households benefit from this program in my State. Households, including many in West Virginia, that heat with natural gas are expected to pay an average of \$350, or 48 percent, more for home heating this winter than last. This increase will leave many West Virginians even more vulnerable and forced to make tough choices.

Therefore, I support this amendment, as I have when it has been previously offered on other fiscal year 2006 Appropriations bills. I cannot stand by and let the throes of winter leave the most vulnerable in my State out in the cold, and I urge my colleagues to support it.

#### IRAQ

Mr. BYRD. Mr. President, press reports today indicate that the number of American troops killed in Iraq has now reached 2,000—2,000. This is another tragic milestone in this costly and unnecessary war in which too much blood—too much blood, too much blood—has already been spilled. And I offer my deepest sympathies to the brave men and women who have given their lives—that is everything. They have given their lives. They have given their all, everything, their lives—most of these young lives in their 20s or thereabouts—given their lives in selfless dedication to service—2,000—2,000 men and women given their lives in dedication to our Nation. See the empty chairs. Two thousand, 2,000 empty chairs at the table, 2,000. How many hearts have been broken? How many tears have been spilled? I offer to these families my prayers that God, almighty God, may comfort them in their grief over the loss of their beloved husbands, wives, sons or daughters, brothers or sisters.

As we mourn the losses that have already occurred in the war in Iraq, Americans should be mindful that all indications are that there will be many more losses to come—many more losses to come, yes, in the most dangerous, the most dangerous country in the world, the most violent country in the world. How would you like your sons or grandsons or granddaughters to go? And for what? For what? They did not ask to be sent to war. They were young. They had life ahead of them. Oh, the lofty horizons they had, the great dreams they had—the dreams, the dreams, yes, the dreams, of these young men and women—2,000—2,000—2,000. They did not ask to be sent to war, I say.

But each day they carry out their duty. Think of those who are in Iraq. No, they must not stand still in one place, no. Keep on the move. Look all around you. How much they sleep at night and how much their mothers and fathers lie on their pillows to cry out to God to save their sons and daughters, to send them home safely. What a terrible thing.

It is only reasonable that the American people and their elected representatives, like you—like you, yes, and like me—ask more questions, questions, more questions, yes. Why? Oh, why? Why? Why? How much longer, how long do we have to suffer? How long do our young people have to look forward to this dreadful trap?

I was alarmed last week when Secretary of State Condoleezza Rice was asked at a hearing of the Senate Foreign Relations Committee about the President's ability to initiate another war. Specifically, Secretary Rice was asked whether the President must seek a new congressional authorization if he were to attack Syria or Iran. Secretary Rice responded:

I don't want to try and circumscribe Presidential war powers.

How about that.

I don't want to try and circumscribe Presidential war powers. And I think you'll understand fully that the President retains those powers in the war on terrorism and in the war on Iraq.

I am astounded, I am flabbergasted, I am astonished by that response. The Secretary of State seems to indicate that she believes this President or any other President has the power to redefine the war in Iraq and the war on terrorism—and that power that appears in the Constitution of the United States: Congress shall have power to declare war—has the power to redefine the war in Iraq and the war on terrorism to include a possible attack on Syria or Iran.

Think of it. Mr. President, Congress made a grave mistake, Congress made a grave mistake—what a blot on the escutcheon of the Senate—when it voted to pass the resolution which transferred to the President the power to declare war against Iraq. What a shame. What a shame. What a mistake. Oh, my, what a mistake. What a mistake. What a shame. And this Senate for the most part stood mute—mute, mute, silent, speechless.

Congress made a grave mistake on October 11, 2002, in passing the resolution that transferred to the President, any President, the power—how about that, the power—that is not what this Constitution says. This Constitution, which I hold in my hand, says that Congress—that is us, the people's representatives, here and across on the other side of the Capitol—Congress shall have power to declare war. But what did Congress do? Congress shifted that power to declare war, tucked its tail between its legs, so to speak, and walked off the field, threw its sword in the sand and walked off the field, rel-

egated itself then, now, and forever more, until that law is changed, rendered itself speechless. We wash our hands, Congress washed its hands. Congress washed its hands and walked away from that field, with its broken sword in the sand, transferring to the President the power to declare war against Iraq. And for what? For what? Why did we go there? Well, there are all kinds of reasons now they bring but then it was because there were to be found weapons of mass destruction.

Mr. Rumsfeld said: Oh, we know where they are; they are in the north, they are in the south, the east and west. We know where they are.

Well, where are they. Mr. Secretary? Where are they? Where are they? Two thousand men and women, one for every year that has passed since Jesus Christ was born—2,000, 2,000. And for what?

But that resolution was limited to Iraq alone. It had no mention of Iran, no mention of Syria. That resolution cannot possibly authorize a new war against Syria or Iran. Our troops are so deeply mired in this sectarian conflict in Iraq, what point could there possibly be in contemplating an attack on Syria or Iran? Why did Secretary Rice dismiss the notion that the President must first come to Congress if he wishes to broaden this war to new countries—unless our country is under the direct threat of an imminent attack. Then a President has the inherent constitutional power to move to war.

The American people seek an end, they seek an end, they want an end to this ongoing bloody war in Iraq, not new conflicts in neighboring countries.

For the sake of the Constitution—here it is in my hand—for the sake of the Constitution, for the sake of the American people—there they are. I see them out there through those electronic lenses. Yes, there they are, out into the mountains, the Appalachians, then the Midwest, then the Rockies, then the west coast. They are all over there, the American people—and for the brave members of the U.S. Armed Forces, the President should publicly acknowledge that there will be no expansion of the war in Iraq, none, no expansion, without the authorization of Congress. That is us. That is us, Members of the House and Senate. Not one man, not one body. Two bodies, the House and the Senate, the Congress of the United States.

There must be no more mission creep. There must be no more billions committed. There must be no more lives lost without authorization by the people's representatives in Congress, including an open debate and an up-or-down vote. That is what I pleaded for. That is what some of us pleaded for. That is what some of us pleaded for—debate, time, talk, wait, wait until after the election; let's hear what the people have to say and then come back and talk about it. No, it had to be done in a hurry; we have to get it behind us.

The Senator from Massachusetts and the Senator from New Jersey and the

Senator from Rhode Island and others said: Wait a minute, let's talk about it; let's wait until after the election; we don't have to do it now; let's wait, wait, wait; let's talk about it. No, we were told, get it behind us, get it behind us. I said you will never get it behind us. This man down at the White House is not going to let it get behind us. He has you right where he wants you.

Mr. KENNEDY. Mr. President, will the Senator yield on that point?

Mr. BYRD. Yes, I will be glad to yield for a question.

Mr. KENNEDY. Mr. President, I thank the Senator for addressing the Senate on this very grim day that marks the loss of the 2,000th young American in Iraq. I welcome my memory being refreshed by the Senator's very eloquent statements about what took place at that time and subsequently about his policy differences, which I share so deeply.

While the Senator said we should wait, does the Senator not think it might have been appropriate that we give the inspectors adequate time to complete their inspection prior to the time we were going to have the troops begin the invasion?

As members of the Armed Services Committee, we were told that we were transferring the information Don Rumsfeld had to the inspectors. Under the excellent questioning of the Senator from Michigan, Mr. LEVIN, Secretary Rumsfeld was asked about the information that would be transferred to the inspectors, and he gave the assurance to the Armed Services Committee that this was a continuing, ongoing process in which we were involved. Then we found out subsequently that there was no transfer of information. There was no transfer of information because, as the Senator has pointed out, those weapons had not been there. But that information was never shared with the Members of this body. There was never an effort to try to see whether the international inspectors could find what the Secretary of Defense swore to, effectively, about the weapons of mass destruction—and the Senator used the words north, south, east, and west, which are very much the words the Secretary of Defense used. He assured the American people he knew where they were.

Mr. BYRD. Yes.

Mr. KENNEDY. We understood they were going to notify the inspectors and give assurances to the American people. Doesn't the Senator believe it would have been appropriate at least if we had waited until that kind of process continued and we find out whether weapons of mass destruction were there or were not there? That is part of the waiting, is it not?

Mr. BYRD. Absolutely, positively.

Mr. KENNEDY. I thank the Senator for reminding us about that period in history. I gather from what the Senator is saying, with all the mistakes and blunders that have been made—

Mr. BYRD. Yes.

Mr. KENNEDY. —what the Senator is asking for is out of respect for the extraordinary heroism of our current men and women in the service, that they deserve something better than the cliches and slogans for policy.

Mr. BYRD. Yes.

Mr. KENNEDY. And that they need to have a real policy that is going to reflect how we can bring those brave American service men and women home with honor.

Mr. BYRD. Yes.

Mr. KENNEDY. And do it in a way of which we can all be proud.

Mr. BYRD. Yes, yes. I thank the distinguished Senator for his very appropriate observations. The U.N. inspectors were doing their job. They were finding certain weapons, and they were disposing of them. With some more time—I believe it was the top inspector, his name was Blix—he said: We can do this job; it may take some months. We could have done that and saved 2,000 men and women. Oh, what a shame. The inspectors were doing their job.

Let me hurry on. Too many lives have already been lost.

Mr. KENNEDY. Will the Senator yield? I don't want to interrupt his comments here, they are so important, but has the Senator, in his following of this issue, been able to detect any plan, any strategy that has come from the administration from which he believes the American people can gain great satisfaction that we are headed in the right direction? Does he know of any plan or program, any strategy that would result in the opportunity to bring those service men and women home with honor?

Mr. BYRD. There has been none. There is none. There has been none. I see only a huge black hole. No plan. No plan. No plan. No vision. We are there with no vision, and people perish and they perish.

Too many lives have already been lost in pursuit of this nefarious doctrine of preemption, unconstitutional on its face—on its face. How can there be a congressional debate if one man may decide when to hit, where to hit? I urge the administration to turn away from that dangerous doctrine of preemptive war and adhere to the requirements of the Constitution of these United States, to which we all swear an oath to support and defend the Constitution of the United States against all enemies foreign and domestic. Lord, Lord, help us. May God bless these men and women who gave their lives, and God bless their families who mourn them every day, every night, and there is no end in sight. May God help this Nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Rhode Island.

AMENDMENT NO. 2194, AS MODIFIED

Mr. REED. Mr. President, I ask unanimous consent to modify my amend-

ment No. 2194. I am told I do not need consent.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, with its modification, is as follows:

On page 158, after line 12, insert:

In addition to amounts appropriated under the preceding sentence, for making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621 et seq.), \$2,920,000,000, which amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. REED. Mr. President, I ask unanimous consent to add Senator BYRD to amendment No. 2194.

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

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I believe the amendment which has been offered by the Senator from Rhode Island and the Senator from Maine is one of necessity. It is regrettable that fuel costs have grown so high, occasioned by a great many factors, one of which is what has happened with Hurricane Katrina and the elevation of oil, the elevation of natural gas prices.

This issue of low-income home energy assistance, LIHEAP, has been a difficult matter for this subcommittee for the 24 years I have been on the subcommittee because it poses such a drastic alternative for so many people. The comment “heat or eat” is a very accurate one. That really is the choice for so many, especially the elderly. I have supported funding for LIHEAP in the past, and I believe it is accurately characterized as an emergency.

I say that recognizing the very heavy, burdensome obligations the Federal Government has and that spending is a very major issue. But when it comes down to the exigencies of this moment where we have appropriated so much money to help the victims of Hurricane Katrina, we are talking about brothers and sisters of those victims of people who live in Rhode Island or New Hampshire or Maine or Pennsylvania or so many States in the Union. So I will be supporting the amendment Senator REED and Senator COLLINS have offered.

I have been advised that there will be an alternative amendment put forward to have an across-the-board cut. I do not think that is the better answer to the issue, but I wanted to put that on the record so that if we move ahead with the yeas and nays, we will hold off on the vote perhaps to vote on them side by side, if there is not a second-degree amendment. We will see what we sort out on procedure.

I thought it important as manager on this side that I make this statement which I have. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I know we are going to pause at 3:40 p.m. My friend and colleague from New Jersey has an important statement, but he is letting me proceed.

Winter is rapidly closing in on States across America. Yet even after Hurricane Katrina shocked the Nation about the desperate plight of the poor, the administration and the Republican Congress continue to ignore our neediest citizens.

According to the Energy Information Administration, home heating bills will soar this winter. Households heating primarily with natural gas will pay an average of \$350 more this winter for heat—an increase of an incredible 48 percent over last year. Those relying primarily on oil for heat will pay \$378 more—an increase of 32 percent.

The people most in need of help on this issue are the 37 million Americans living in poverty today—including 13 million children. According to a recent report by Economic Opportunity Studies, families in poverty will owe an average of 25 percent of their entire income for their energy bills this winter.

The Federal poverty guideline is \$16,090 for a family of three. That means that \$4,022 will be spent on home energy bills, leaving only 12,000 or \$1,000 a month for expenses the entire year.

A family whose rent is \$800 a month would have only \$200 left. For a household of three, that's only \$63 per person per month for food, clothing, and health care.

Mr. President, 46 million Americans lack health insurance in this country. If such families have a health emergency and no health insurance, their annual income could be further strapped.

What if the family owns a car so they can get to and from work? More money will be needed to pay the high cost of gasoline and to make monthly car and insurance payments.

Since many families live below the Federal poverty line, they will have even less money left for other needs after they pay to heat their homes.

A recent study by researchers from Stanford University, the University of Chicago, the RAND Corporation, and UCLA found that when poor families' heating bills go up during cold winter months, they reduce their spending on food.

LIHEAP, the Low-Income Home Energy Assistance program, was created two decades ago to prevent low-income families from being forced to make these impossible tradeoffs. Yet Federal funding for LIHEAP has been stagnant for over a decade, even as the need for assistance has risen sharply. As a result, the purchasing power of LIHEAP assistance, adjusted for inflation, is now only a little over half of what it was in 1982.

Thirty-three million households are eligible for LIHEAP assistance. These households will spend nearly \$55 billion in energy costs. Yet the LIHEAP program is funded at only \$2 billion.

According to the National Energy Assistance Directors' Association, LIHEAP assistance reached 5 million families this year—the highest level in

ten years, but only 15 percent of the eligible population.

In Massachusetts, LIHEAP serves 134,000 families, which is only 15 percent of the 867,000 families eligible for assistance.

Earlier this month, I visited the Curtis Hall Community Center in Boston, MA, with Mayor Menino. I heard first hand about the extreme need for home energy assistance among senior citizens.

Last winter, Eileen Duggan, a widow from Jamaica Plain in Boston, kept her oven on high and wore several layers of clothing because her time-worn furnace was inadequate to provide enough heat. She started buying less food so that she could use her small monthly budget to pay her heating bill. Despite her best efforts, she still couldn't pay that bill, and last April, with the New England winter chill still in the air, she asked the utility company to stop sending her oil. "I told the oil man: 'Don't give me anymore. I can't afford it,'" she said.

Other low-income families have also been sharing their stories. One example involves a single mother who lives in Haverhill, MA, with her 18-year-old son who is handicapped, her 19-year-old daughter, and her daughter's child who has a medical condition. Both mother and daughter work as school bus monitors, and they have little or no income over the summer. Their rent is \$950 a month. Their last gas bill was \$1,729. Because they couldn't pay the bill, their gas was shut off last winter. Even if they qualify for \$600 in LIHEAP assistance, the gas company may still refuse to reconnect their service, unless the family comes up with another \$400 to \$800 towards their debt.

Millions of low-income Americans set their thermostats at just 60 degrees or even lower—if their heat is still on—while Congress, the administration, and the vast majority of us rest content in warm homes. Yet the Bush administration and the Republican Congress do nothing year after year.

Time and time again I have stood on the Senate floor urging Congress to open its eyes to the needs of the poor.

It is shameful that after the President and the Republican Congress froze LIHEAP funds through the continuing resolution, they continue to tune out the pleas of low-income families who need home heating assistance.

Last week, the Republican leadership decided to use a procedural maneuver once again to block emergency funding for LIHEAP. Almost every Democratic Senator supported this additional relief, but Republican Senators overwhelmingly opposed it, and it was defeated.

There is no excuse for the Republican majority to look the other way—but they do. They continue to ignore families who lie awake at night worrying how to make ends meet. They refuse to acknowledge the parents who worry, day after day, week after week, month after month, how to feed their children

and keep the heat on, or the elderly who turn down their thermostats, put on extra sweaters, or even turn off the heat in an attempt to save money.

It is time to tell low-income families across the country that we hear them, that we care about them, and that we don't intend to leave them shivering in the cold again this winter. That is why I strongly support the Reed-Collins amendment to add \$2.9 billion to the LIHEAP program. We need to increase LIHEAP funding now to avoid real harm to real people this winter, and I urge my colleagues to support this amendment.

I urge our colleagues to listen to our colleagues not only from New England, from the Northeast, but other parts of the country in urging favorable consideration of this amendment. I join them in saying I have seen the faces of too many senior citizens, too many elderly people who are on fixed incomes. I have seen their fear about what is going to happen in their homes and the hard, difficult choices they are going to have to make this winter unless we provide this assistance. This assistance is desperately needed for our region of the country. It is Katrina in a very real way. Like Katrina, it is an emergency in terms of heating homes. I hope we can get favorable consideration of the amendment.

**THE PRESIDING OFFICER.** The Senator from New Jersey.

#### IRAQ

**MR. LAUTENBERG.** Mr. President, this is a grim moment for America: 2,000 of our young courageous people have perished in Iraq—2,000. From the years 1961 to 1965—those are the years in Vietnam—we got over 2,000 death notices sent to homes across the country. There is a lot of pain across the country, yes, for those who lost loved ones, but across this Nation of ours people are wondering what is it, when do we get to see our people coming back home, because it certainly does not have the appearance of a matter resolved.

I have often thought that some memorial should be present in this body as these casualty numbers are reported. But as we were denied the opportunity to have some reminders of this catastrophe displayed in the Rotunda or a busier place, I decided to put a memorial to those lost in Iraq at the front door to my office. I have been overwhelmed by the interest shown by passers-by.

We have their pictures up there and their names and the communities they come from. There are more numbers coming. We update the list regularly, the pictures regularly. Every casualty is a life cut short, families torn apart. Outside my office we have this memorial to the fallen heroes. You look at those faces and see how young are the people who died.

When I started the Senate memorial I hoped major combat would soon be over and our casualties would be minimal or eliminated, but major combat

has dragged on and the memorial display unfortunately has grown and grown. It has gotten to the point where the memorial takes up most of the space outside my office. I encourage my colleagues to visit these memorials. There is one in the Longworth House Office Building in front of the office of Representatives RAHM EMANUEL and WALTER JONES. I encourage my colleagues to visit these memorials and pay tribute to these troops.

As we reach this grim milestone today, it is critical that we examine the situation we are facing in Iraq. The President made a speech today. We heard it on TV. He basically said let's keep on doing what we are doing. We heard the usual rhetoric about spreading freedom.

I do not think we need any more slogans. I remember the President's slogan on the aircraft carrier when he said, "Mission accomplished." Mission accomplished? The President declared that major combat operations were over. This was in May 2003. Since then we have lost 1,855 of our people.

As the debacle on the aircraft carrier proved, slogans are only as good as the banners they are written on. But we don't need more slogans. We need a plan. We need a plan that will provide relief to our troops so they are not shouldering all of the burdens in Iraq. The President and his team ignored the wise advice of the State Department and alienated our usual allies before the war, and did it with incredible arrogance and ineptitude.

Last year, President Bush scolded my colleague Senator KERRY, while debating this issue, alleging that Senator KERRY forgot—I put this in quotes—"forgot Poland." But even Poland is pulling out of Iraq now. With the exception of British troops in Basra, we are essentially going it alone across the rest of Iraq. As our troops go it alone, they have to live with President Bush's taunt to our enemies when he said: "Bring 'em on. Bring 'em on."

Mr. President, have they sufficiently brought them on? That was said in July of 2003.

What the troops on the ground need is less talk and more of a plan that defines our specific goals. They want to know exactly how many Iraqi troops need to be trained before our soldiers can begin to come home. We hear stories about these trained battalions, trained units that are made up of Iraqi soldiers. But when you get the other side, people who have knowledge from the front, they tell us there are far fewer Iraqis trained than are presented to us from the administration.

What we hear from President Bush over and over again is that we need to complete the mission. But we are not told what the mission is.

Today, I hope every American will pause and reflect on the price that has been paid by our very brave service people. Their courage is above question—but the administration's policy in Iraq is not. The American people

have a right and a duty to demand answers from our Government. Our troops deserve nothing less. Every flag-draped coffin represents a family who will never again share a moment with their spouse, with their child, sibling, friend.

It was very telling, early on in this conflict, when the administration banned the photography of flag-draped coffins coming back to our shores from Iraq. Imagine banning that demonstration of honor and tribute—a flag-draped coffin, based upon the fact that it might disturb the privacy of the family while they greet the coffin. Families don't come to Dover, DE, where the coffins are carried off the airplanes. There is a mortuary where remains are often identified and moments of privacy provided for the families. But they banned these tributes to heroes who served our country. The administration argued about the privacy matter. It is a red herring. Of course the funerals are private. But at issue was the return of these caskets to Dover Air Force Base.

Why do I talk about it? Because it is an attempt to hide the real pain and sacrifice that is being made in this war in Iraq. They do not want the American people to see flag-draped coffin after flag-draped coffin because it reminds us about what is taking place.

Presidents Reagan and Clinton publicly met flag-draped coffins on the tarmac at Dover. But under this President we cannot even take pictures of them.

We should honor, not hide, flag-draped coffins. They are a symbol of the respect, honor, and dignity our fallen heroes deserve. Today we honor the 2,000 heroes who sacrificed their lives for our country.

I urge the President to pay tribute to their memory by offering this country a concise, realistic plan that will allow us finally to transfer power to Iraqis and bring our troops home.

I yield the floor.

Mr. REID. Mr. President, 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 the order for the quorum call be rescinded.

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

Mr. FRIST. Mr. President, I know the chairman is eager to make further progress on the underlying bill, and therefore we will be brief.

A number of Senators have come to the floor over the course of today to express their thoughts or feelings or emotions or sympathies for the families of the over 2,000 military dead in Operation Iraqi Freedom.

At this point, I ask the Senate now proceed to a moment of silence in honor of our fallen soldiers.

The PRESIDING OFFICER. The Senate will now proceed to a moment of silence in honor of our fallen soldiers.

(Moment of silence.)

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, today U.S. military deaths in Operation Iraqi Freedom surpassed 2,000. These brave men and women in uniform sacrificed their lives for the cause of freedom and for the security of their fellow Americans. We owe them a deep debt of gratitude for their courage, for their valor, for their strength, for their commitment to our country. They heard the call of duty and they took the fight to the enemy so that the enemy would not strike us here at home. These brave men and women join a pantheon of heroes who have fought and died over the years for our country.

Because of their determination, Saddam Hussein now faces a trial for his life; because of their resolve, the Iraqi people are exercising their right to self-rule. And today, because of their bravery, today Iraq has a new constitution, a historic milestone on the march toward freedom and the fight against terror.

Our hearts do go out to all the families who have lost loved ones on the battlefield as well as the thousands of men and women who have been injured. Their valor, their courage are a shining example to all. We owe them our deepest respect. We offer our continued support and our continued prayers. We pledge to stand firm in the war on terror. We will accomplish the mission to secure a free and prosperous Iraq and, in turn, secure the freedom and safety of America.

We will persevere and we will win—for our heroes in uniform; for the United States of America.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, this is a solemn occasion, to have the Senate stand in silence in respect for the sacrifices made by the fighting men and women of this country. Our thoughts go out, not only to the lives of these individuals but to their families. This is only a small token of what we can do to recognize the sacrifices they have made, leaving behind their sons and daughters, the husbands and wives and friends. We all have been touched by the deaths of these 2,000 in one way or the other.

It is my prayer that the sacrifices made will prove to have been warranted.

I am grateful to my colleagues for being here today on both sides of the aisle, and I am grateful to Senator FRIST who has joined in this moment of silence. It is something that I will remember, and I hope we all do.

Mr. KENNEDY. Mr. President, as of today, 2,000 American soldiers have been killed in combat in Iraq.

Since last January's election in Iraq, we have lost 565 American soldiers; 74 of those soldiers have been killed in October—an average of three a day. An additional 15,220 have been wounded, and more than 7,000 of whom were unable to return to combat.

The youngest of America's fallen soldiers was just 18. The oldest was 59. Nearly three quarters had not even celebrated their 30th birthday. They came from every State in the Nation. This includes 38 soldiers from my own State of Massachusetts.

They are the best of America, and we are proud of each one. Although I disagree with the President about Iraq, I honor the service and sacrifice and dedication of each of these brave men and women.

Our Armed Forces are serving ably in Iraq under enormously difficult circumstances and the policy of our Government must be worthy of their sacrifice. Unfortunately, it is not, and the American people know it.

Our soldiers in Iraq need more than happy talk about progress from the President. They need more than a public relations campaign.

They need an effective plan to end the violence, and stabilize Iraq, so they can come home with dignity and honor.

Reality is hard medicine to swallow. Facts are stubborn. As the Valerie Plame case makes increasingly clear, the administration stopped at nothing to cover up its misguided and dishonest decision to go to war, and our servicemen and women, their families, and friends are paying an unacceptable price. They deserve better—much better from their President and so does the Nation.

It was wrong for the President to rush to war for such a deeply questionable cause. President Bush once said that the war in Iraq was a catastrophic success. He's half right in one sense. The war has been a catastrophe—for our soldiers and their families, for the war on terrorism, and for America's standing in the world. It has made the United States more hated in the world than at any other time in our history.

Beyond the cost in human lives and to our national security, there has been an enormous financial cost.

American taxpayers are spending \$195 million each day in Iraq.

For the cost of fighting the war in Iraq for one day, we could make significant improvements in homeland security.

We could provide 4 million American households with emergency readiness kits. We could close the crisis communications technology gap for 41 small cities, 36 mid-sized cities, or 6 large cities, so that Federal, State and local first responders can talk to one another during an emergency.

We could purchase 780 fire trucks for improving local emergency response capabilities, and we could employ 5,000 fire fighters, 4,000 police patrol officers, or 7,000 paramedics and emergency medical technicians for one year each.

For the cost of fighting the war in Iraq one day, we could double the Federal budget for nuclear reactor safety and security inspections to ensure that these potential terrorist targets are adequately protected.

We could pay for 1,100 additional border patrol agents to better guard our borders against potential terrorists.

We could provide 9,700 port container inspection units to detect hazardous materials being trafficked into the country.

Obviously, the \$195 million a day we spend in Iraq could be better spent on the all-important areas of jobs, education, and health care, which the Senate is debating today. Instead of spending those funds in Iraq, we could spend them on better teachers, better financial aid for college students, better health care for families, and countless other priorities whose budgets are being cut back because of Iraq. I ask unanimous consent that a document I've prepared outlining the various ways \$195 million dollars a day could be spent on pressing priorities at home be printed in the RECORD.

Instead of covering up mistakes in Iraq, it is time for the President to admit them, to adopt an effective strategy to end this war and begin to bring our troops home, and to stop ignoring the very real priorities facing the Nation and the many challenges facing us at home and abroad.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**THE REAL COST OF THE IRAQ WAR TO AMERICAN TAXPAYERS—\$195 MILLION PER DAY**

For the cost of fighting the war in Iraq for one day, we could . . .

**HOMELAND SECURITY**

One day in Iraq could provide 3.97 million households with an emergency readiness kit.

One day in Iraq could close the financing gap for interoperable communications in 41 small cities, 36 mid-sized cities, or 6 large cities so that Federal, State and local first responders can talk to one another during an emergency.

One day in Iraq could purchase 780 fire trucks for improving local emergency response capabilities.

One day in Iraq could employ 4,919 fire fighters, 4,222 police patrol officers, or 7,052 paramedics and emergency medical technicians for one year each.

One day in Iraq could double the Federal budget for nuclear reactor safety and security inspections to ensure that these potential terrorist targets are adequately protected.

One day in Iraq could pay for 1,101 additional border patrol agents to better guard our borders against potential terrorists.

One day in Iraq could provide 9,750 port container inspection units to detect hazardous materials being trafficked into the country.

One day in Iraq could provide 1,332 explosive trace detection portals for airport screening of passengers, as recommended by the 9/11 Commission.

One day in Iraq could provide 6,290 local law enforcement agencies with a bomb-detecting robot.

One day in Iraq could provide 4,875 narcotics vapor and particle detectors.

**EDUCATION**

One day in Iraq could cover the full cost of attendance for one year at a public college for more than 17,100 students.

One day in Iraq could provide more than 79,000 needy college students with a Pell grant.

One day in Iraq could enroll 27,000 more children in Head Start.

One day in Iraq could employ 4,269 elementary school teachers or 4,027 secondary school teachers for one year.

**HEALTH CARE**

One day in Iraq could provide health insurance coverage to 344,500 working Americans to give them a break from the rising cost of coverage.

One day in Iraq could provide health insurance coverage for one year to 380,900 uninsured children in America.

One day in Iraq could employ 3,597 additional registered nurses for one year.

One day in Iraq could immunize every person over 65 in the U.S. against influenza 4.6 times over.

One day in Iraq could immunize every baby born in the U.S. last year against measles, mumps, and rubella 14.2 times.

**LABOR**

One day in Iraq could provide unemployment benefits for almost 722,000 unemployed Americans for one week.

One day in Iraq could fund Social Security retirement benefits for one day for over 6.75 million Americans.

One day in Iraq could provide comprehensive safety and health training to 121,875 workers.

One day in Iraq could pay for an increase of \$3.34 per hour in the wages of every minimum wage worker in the country.

One day in Iraq could provide paid sick leave to half a million workers for an entire year.

**BASIC NEEDS**

One day in Iraq could buy 71.55 million gallons of unleaded regular gasoline.

One day in Iraq could pay for one year's gasoline consumption for 97,500 Americans, even at today's elevated prices.

One day in Iraq could buy 63.1 million gallons of fortified whole milk.

One day in Iraq could buy 166.6 million cartons of large Grade A Eggs sold by the dozen.

**INTERNATIONAL**

One day in Iraq is equivalent to half of the Gross Domestic Product (GDP) of the country of East Timor.

One day in Iraq could feed all of the starving children in the world today almost four and a half times over.

One day in Iraq could vaccinate three-quarters of the children in Africa for measles and give millions a lifetime protection from the disease.

One day in Iraq could build 5,571 AIDS clinics in Africa.

One day in Iraq could provide 650,000 women in Africa living with HIV/AIDS antiretroviral treatment for one year to extend their lives and improve the lives of their children.

One day in Iraq could provide one third of the aid needed for earthquake relief for the four million people affected in South Asia.

Mrs. BOXER. Mr. President, today is a very somber day. The U.S. military death toll reached 2,000 in Iraq, a figure that I—and every American—hoped we would never reach. Our hearts go out to the families and friends of those who have lost loved ones.

I pray for these young Americans, may they rest in peace; and I pray for their families, may they heal.

Let us honor their lives and their memory.

And let us honor the lives of those who continue to serve by developing a credible plan for Iraq. It is time for this administration to level with the American people and provide a strategy for success.

As the current investigation into the leak of CIA agent Valerie Plame re-

minds us, this administration took us to war on false intelligence, misstatements, and exaggerations.

This administration told the American people that we had no other option but to go to war because the regime of Saddam Hussein posed a threat to the security of the United States. However, no weapons of mass destruction have been found, and there was no serious link between Iraq and al-Qaida.

The administration also provided rosy scenarios and false expectations about how the United States would be greeted as liberators in Iraq and how the war would be brief. In fact, Secretary of Defense Donald Rumsfeld actually said in February 2003 that the war “could last six days, six weeks. I doubt six months.”

Yet here we are, 2½ years later, lamenting the death of the 2,000th soldier in Iraq. Of those 2,000 soldiers, 464 of these soldiers were either from California or based in California.

Even as attacks on American soldiers continue, the administration refuses to level with the American people. In May 2005, Vice President CHENEY proclaimed that: “I think the level of activity that we see today in Iraq from a military standpoint, I think will clearly decline. I think they’re in the last throes, if you will, of the insurgency.”

Since that day—since Vice President CHENEY told us that violence was coming to an end in Iraq—more than 300 Americans have lost their lives. And the violence continues to escalate.

Today we do not just lament the strategic disaster in Iraq, the loss of U.S. credibility around the world, and the overwhelming costs to the American taxpayer. Above all, we mourn the tragic deaths of 2,000 young Americans.

These men and women voluntarily put their lives on the line to defend us when they put on the uniform of the United States Armed Forces. They put their trust in the Government that we would only send them to war if there was no other recourse.

In rushing to war, in twisting and revising the case for war, and in failing to plan for the aftermath of the war, this administration broke the trust with these young men and women at a catastrophic cost.

These 2,000 young men and women have sons and daughters, husbands and wives, mothers and fathers, friends and extended family, all of whose lives have been forever changed by the consequences of this reckless war.

Today, let us remember these 2,000 brave Americans. Let us honor their lives and their memory by bringing this war to an end.

Ms. MIKULSKI. Mr. President, we have reached a milestone in Iraq. Two thousand U.S. servicemembers have been killed, including 42 Marylanders. We must not talk about this in terms of just numbers and statistics. Each individual has left behind a legacy, a unique life story.

Today, I want to pause to remember five young men from Maryland who

died in Iraq in the last 10 days: Army SGT Brian R. Conner, Army SPC Samuel M. Boswell, Army SPC Bernard L. Ceo, Marine LCpl Norman W. Anderson, III, and Army SPC Kendall K. Frederick. Our condolences go out to their families, as well as our gratitude and our appreciation for these brave young men. To honor those who have died, we must remember the way they lived. Let me tell you about them:

SGT Brian R. Conner of Gwynn Oak, MD was just 36 years old. He was a member of the Maryland National Guard's 243rd Engineer Company, in Baltimore. Sergeant Conner was one of three Army National Guardsmen killed October 14 in an accident northwest of Baghdad. A tractor trailer struck their humvee, setting it on fire and detonating ammunition aboard. Sergeant Conner was a lieutenant in Baltimore Fire Department, having joined in 1993. He had served in the Maryland National Guard since June 1989. Sergeant Conner leaves behind three daughters, ages 10, 15, and 21, and his beloved 3-year-old grandson. He is survived by his mother Hortense Connor, his brother Paul Edwards, and sister Cherice Conner Davis. He is also mourned by his brothers and sisters in the Baltimore Fire Department. One family friend said of Sergeant Conner: "Brian was not only a great man who accomplished many of his dreams—he was someone loved and cared for. His values will live on." May God bless Brian Conner.

SPC Samuel M. Boswell of Elkridge, MD, was 20 years old. He was also in the Army National Guard, killed in the same accident that took Sergeant Conner's life. Specialist Boswell joined the National Guard in June 2003, right after graduating from the technology magnet program at River Hill High School in Clarksville. He is mourned by his father, Anthony L. Boswell, and by his seven brothers and sisters. Describing his youngest brother, Michael Boswell said, "Sam was probably the happiest person you'll ever meet. He was always walking around with a smile on his face. . . . He always wanted to do things that would help other people whether he knew them or not." May God bless Sam Boswell.

SPC Bernard L. Ceo of Baltimore was 23 years old. He was the third member of Maryland's Army National Guard killed on October 14. Specialist Ceo enlisted in the Army in December 2001, joining the military to help pay for college. He dreamed of being a teacher, and when he wasn't serving with the Guard, he worked with students with special needs at Kennedy Krieger High School Career and Technology Center. Specialist Ceo was carrying on a proud family tradition of military service: his father and several uncles served in Vietnam. He leaves behind his parents Rosemarie and Fred Ceo, fiancee Dajae Overton, and her two young children, whom he was raising as his own. Specialist Ceo's coworker said, "He was a thoughtful, introspective young guy.

He would have been an excellent teacher." May God bless Bernie Ceo.

Marine LCpl Norman W. Anderson, III, from Parkton, MD, was 21 years old. He served with the U.S. Marines' 3rd Battalion, 6th Marine Regiment, 2nd Marine Division, based at Camp Lejeune, NC. Lance Corporal Anderson was killed by a suicide car bomb on October 19 in Karabilah, near the Syrian border. He was a 2002 graduate of Hereford High School, where he was a running back on the football team. He joined the Marines in December 2003, and had already served one tour in Afghanistan. He is survived by his wife Victoria Anderson, his parents, Robyn and Norman, and his sister Brooke. The last time he was home he told his mother that, if he was killed in Iraq, she should know that he died doing what he wanted to do. May God bless Norman Anderson.

Army SPC Kendall K. Frederick, from Randallstown, MD, was 21 years old. He was an Army reservist, assigned to 983rd Engineer Battalion, in Monclova, OH, where he served as a mechanic who worked on power generators. Specialist Frederick was killed outside Tikrit when a roadside bomb detonated near the vehicle he was driving. He was a 2004 graduate of Randallstown High School. Specialist Frederick leaves behind his parents, Michelle Murphy and Peter Ramsahai, his stepfather Kenmore Murphy, and two sisters and one brother. May God bless our Kendall.

Mr. President, similar stories are being told in every community, across the Nation. Stories about volunteers who left behind friends and family—in the case of guardsmen and reservists, they also left behind jobs—to protect our country and help bring freedom to people of Iraq. We honor their service and sacrifice, not just with words, but with deeds.

First, we must support our troops, by ensuring they have the equipment they need to stay safe and accomplish their mission. Second, we need a workable plan to drawdown our troops. Today, there are 159,000 U.S. troops in Iraq. Our strategy for Iraq must be worthy of sacrifices they have made. We need to involve the international community more, getting help to seal Iraq's borders and keep out foreign fighters and terrorists. We used to be at war with Iraq, now we are at war in Iraq with insurgents.

We must also continue to support Iraqi political process. The constitution has been approved by more than 78 percent in an election that included 63 percent of Iraq's registered voters. Iraq can now move forward with parliamentary elections. We should continue to support their progress toward democracy. We need better progress rebuilding Iraq's military. Iraqis need to fight for Iraq. Our training program has been slow to start. We seem to be making progress, but not fast enough. We should let our allies help us in this effort. Finally, let's get that Iraqi oil

going, so they can start to pay their own bills.

We need to see faster progress on all these things. When these things happen, we can begin to withdraw our troops in stages and bring them home. Our military men and women have sacrificed in Iraq. They honored our country by volunteering to serve. We must honor them with an effective plan to finish their work, and bring our troops home.

Mr. DURBIN. Mr. President, I ask unanimous consent that Senator MIKULSKI of Maryland be recognized for 10 minutes to speak and that I be allowed to follow her to speak for 10 minutes.

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

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, today we reach a milestone in Iraq.

Two thousand U.S. service members were killed, including four Marylanders.

A few weeks from now we will be celebrating Thanksgiving. For 2,000 families, there will be forever and a day an empty chair.

The 2,000 members of our armed services who died, we cannot think about them in numbers and statistics. We in Maryland have lost 42 soldiers, and most recently we have lost 5 in just this last week alone. Each individual left behind a legacy, a unique story.

Today, as I come to the Senate floor, I wanted to remember the five young men who died in the last 10 days, tell you their names, and tell you a little bit about them. Army SGT Brian R. Conner, Army SPC Samuel M. Boswell, Army SPC Bernard L. Ceo, Marine LCpl Norman W. Anderson, III, Army SPC Kendall K. Frederick.

Our condolences go out to their families, as well as our gratitude and our appreciation for those who have died. To honor those who have died, we must remember the way they lived.

Let me just tell you about them. SGT Brian Connor was only 36, a member of the Maryland National Guard's 243rd Engineer Company. He was one of three Army National Guardsmen killed on October 14 northwest of Baghdad. Their humvee carrying munitions was set on fire and detonated. The ammunition exploded and all three died. Sergeant Conner, Specialist Boswell, and Specialist Ceo.

Sergeant Conner was a lieutenant in the Baltimore Fire Department. He joined in 1993. But he was a real star. He rose quickly through the ranks to become a lieutenant. The firehouse put his hat and his coat aside as a perpetual remembrance. He leaves behind three daughters, one 10, one 15, the other 21, and a grandson he loved so much.

A family friend said about Sergeant Conner:

Brian was not only a great man who accomplished many of the dreams, he was someone who loved and cared for people. His values will live on.

God bless Brian Conner.

Then there is SPC Samuel Boswell from Elkridge, MD, another guy from the Army National Guard, killed in that same accident. He joined the Guard in 2003. He had just gotten out one of our technology magnet schools called River Hill High School in Clarksville. He was one of eight brothers and sisters. He joined the military because he wanted to have a future. He wanted a long career, and he wanted to follow the American dream while protecting the American homeland. Here is what Michael Boswell said about his brother:

Sam was probably the happiest person you'll ever meet. He was always walking around with a smile on his face. He always wanted to do things that would help other people whether he knew them or not.

God bless you, Samuel Boswell.

Then there was Specialist Bernard L. Ceo, from Baltimore. He was just 23. He enlisted in the Army in December 2001 to help earn money for college. Specialist Ceo dreamed of being a teacher, and when he wasn't on duty as Guardsman, he worked with students with special needs at the Kennedy Krieger High School Career and Technology Center. He was carrying on a proud family tradition of military service—his father and several uncles had served in Vietnam. Specialist Ceo leaves behind his parents, Rosemarie and Fred, his fiancee Dajae Overton, and her two children, whom he was raising as his own. God bless you, Bernie Ceo.

Then there was Norman Anderson, III from Parkton, MD. He was a marine based in Camp Lejeune. He was killed on October 19. A suicide bomber killed him. He had just graduated in 2002 from Hereford High School, where he was a running back on the football team. Under the Friday Night Lights this week, they took his helmet and his sweatshirt and put them aside. The team gave him a salute. They really knew that Norman Anderson gave one for the Gipper and one for the United States of America. He joined the Marines in December 2003. He already served one tour in Afghanistan. He came back home and was recently married to a wonderful woman named Victoria. But he went back into the field one more time because he felt it was his duty. The last time he was home, he told his mother if he died she should know that he died doing what he wanted to do.

God bless Norman Anderson, III.

Then we come to Kendell K. Frederick, U.S. Army, only 21 years old, from Randallstown, MD. He was in an engineering battalion. He was a mechanic who worked with power generators. He wanted to do something for his country as well as for himself. He graduated from one of our community high schools called Randallstown High School. He was killed outside Tikrit. A roadside bomb detonated near the vehicle he was driving. He leaves behind his parents, a stepfather, and other family

members. He had two sisters and one brother. But he was willing to go into the military in order to be able to earn what he needed to earn to be able to go on to college.

All of Randallstown mourns our Kendell. We want to say to Kendell Frederick, God bless you.

Senators of the U.S. Senate, and to all who are watching, those are five Marylanders. Knowing they will never be back, we can never forget them. The best way for a grateful nation to honor them is to stand up for our troops. We need to make sure they have the right pay, that they have the right benefits, that they have the right equipment to protect themselves. We also need to have a workable plan to draw down our troops. Our strategy for Iraq must be worthy of the sacrifices our troops have made. The U.N. needs to get more involved in international burden sharing—in securing Iraq's borders. We need to continue supporting the Iraqi political process, and work with our allies to boost training for the Iraqi military. Iraqis want to fight for Iraq, and they should. Finally, let's get that Iraqi oil going, so they can pay their own bills. We need to see faster progress on all these things. When these things happen, we can begin to withdraw our troops and bring them home with the honor they have earned.

God bless our men and women in the U.S. military and all those who passed on. And wherever there is an empty chair, we should always fill it with our hearts and our remembrance.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, first let me thank Senator FRIST and Senator REID for this extraordinary occasion, for this bipartisan moment of silence.

Today, we learned that our Nation had crossed a tragic threshold: 2,000 American service men and women have now been killed in Iraq, and more than 15,000 of our sons and daughters have been injured and have suffered painful and permanent injuries.

All are equal in their tragedy. The 2,000th death is no more heartbreaking than the first or the 50th. But the enormity of this lost—of 2,000 of our best and bravest—breaks America's heart.

We have seen their pictures. When you look at the faces of the fallen, you are struck by several things.

First, you are overwhelmed by how young they are. Three hundred and fifty-seven of these men and women never saw their 21st birthday.

As a father, I cannot imagine a greater grief than losing a child so young.

When you see the photos of our fallen heroes, you are struck by the resolve in their faces. They were young but they had courage, a sense of duty and purpose to volunteer and defend America.

In a few cases, you are also struck by some of the faces that are quite old. The oldest American killed in Iraq was 60 years old. The faces look like America because they are America. Most were born here. Some were Americans and soldiers by choice.

These 2,000 of our best and bravest came from every State of the Union and from the Territories. Seventy-nine were from my home State of Illinois. Almost half of those killed were soldiers in the Army, but members of this saddest of all rollcalls came from every branch of the service.

About one in four of those killed were members of the National Guard and Reserve, one more measure of the enormous sacrifice that these branches of our service are making.

All of these fine men and women volunteered to serve their country. All 2,000 gave their lives in that service.

The great World War II correspondent, Ernie Pyle, wrote a book entitled "Brave Men." It is a collection of some of his best writing in the European theater. This is what he wrote in the dedication:

In solemn salute to those thousands of our comrades—great, brave men that they were—for whom there will be no homecoming, ever.

It is right that we honor the sacrifices of the great, brave men and women we have lost in Iraq and the sacrifices of their families and loved ones.

But words alone are not enough. We owe our fallen soldiers and their families answers. We owe them accountability. We owe them leadership as brave as their service. America cannot allow our Nation to drift into a war without end in Iraq.

GEN John Abizaid, the Commander of U.S. Central Command, said recently that the key to military success in Iraq "is whether we can learn from our mistakes."

We owe it to those who have fallen, to their loved ones, and to those who are still in harm's way, to change course when needed.

Our troops adapt to changing tactical situations on the ground—and so, frankly, do our enemies. Political leaders in Washington must do no less.

Earlier this month, the people of Iraq voted on a constitution. In December they are scheduled to hold parliamentary elections, and then, we hope, a new government will take over that can lead Iraq forward.

These are important milestones. They should be milestones not only for the Iraqis but for our troops as well. Each step the Iraqis take toward the successful establishment of self-governance should bring our troops a step closer to home.

Today is not a day to cast blame or question past decisions. Today is a day to mourn our dead, to honor their service and to extend our most heartfelt thoughts and prayers to their families. But we cannot put off a debate over the best course for the future. Two thousand brave soldiers, sailors, airmen, and marines have given their lives for America. More than 15,000 have suffered devastating, life-changing wounds. Over 150,000 still stand in harm's way.

The choice we face in Iraq is not a choice between resolve or retreat. The

men and women in our military and their loved ones deserve a clear path to stability in Iraq so they can come home as soon as humanly possible. We do not honor our fallen soldiers simply by adding to their numbers. At some moment today or very soon we will cross that sad threshold and begin the count toward another thousand lives.

The American people and every elected leader of both political parties owe it to our soldiers and their families to never allow this war in Iraq to drift and stall as lives are lost and bodies are broken. One more soldier's life lost in Iraq is one too many. The 2,000 funerals, 2,000 flag-draped coffins, 2,000 grieving families—America mourns the loss of these brave soldiers. America's leaders must redouble their efforts 2,000 times over to bring this war to an end.

I yield the floor.

**THE PRESIDING OFFICER.** The minority leader.

Mr. REID. Mr. President, I want the majority leader to understand how much I appreciate his breaking up his schedule to come here to offer this unanimous consent request. I appreciate it very much.

As I indicated a short time ago, the solemnity of this occasion is significant. I want the record to reflect that we have reached, as has been said here several times today, regrettably, a milestone in Iraq; that is these 2,000 killed. Frankly, Mr. President, it is no longer 2,000. It is now 2,002.

There has been—and will continue to be—heated debate about our involvement in Iraq, about the flawed pre-war intelligence that some say existed, and it appears pretty certain at this time, the selling of the war by administration officials, the poor planning, and the ideologically driven attempt by the President and others to reshape the Middle East through the force of arms.

These debates will go on, and they should. That is what our country is all about. But today—right now this minute—I think it is appropriate to set the debate aside and reflect on this solemn mark that we have reached so that we can pay tribute to the heroic services and the sacrifice that each of these brave Americans made to our Nation.

A few months ago, I was able to travel along with a number of my colleagues to the Middle East where I spent time with scores of Nevadans serving in Iraq. Any one of us who traveled to the region meets with U.S. troops and comes back so impressed and so proud of the men and women who serve our country. Many are young, as Senator DURBIN has so graphically described, just out of high school, and this is their first time out of the country. Others are more senior, having served in the first Gulf war or in Afghanistan. Most were given short notice, year-long deployment, and were serving away from family, children, spouses, parents and friends.

The Nevada Guard unit that I spent time with was tasked with trans-

porting critical supplies from Kuwait through Iraq and into Baghdad to support combat forces. These were dangerous missions, carried out with the real possibility of an attack by Iraqi insurgents.

I also met with some young Marines from Nevada who were assigned to protect U.S. facilities in the fortified Green Zone. Eager, enthusiastic, and with a great sense of spirit, these young men took pride in their duties, and we took great pride in them.

But there can be no question that the effort in Iraq has taken a huge toll on Americans, and on Nevadans.

So far, 13 Nevadans have died in this conflict. But the number 13 does not tell the whole story.

Let me take just a minute. I will be brief. But I would like to, as my dear friend, the junior Senator from Maryland, outlined, tell you just a little bit about these 13 Nevadans.

Marine LCpl Donald Cline, Jr., of Sparks as the first Nevada soldier to die in Iraq. During the initial invasion of Southern Iraq, LCpl Cline was killed in combat while assisting injured soldiers on March 23, 2003. He left behind a wife and two sons, Dakota and Dylan.

Marine 1LT Frederick Pokorney of Nye was killed in action on March 23, 2003. He left behind a wife and a 3-year old daughter. Lieutenant Pokorney was the first Marine from Operation Iraqi Freedom to be buried in Arlington National Cemetery.

Sgt Eric Morris of Sparks was only six weeks into his tour of duty when he was killed by a homemade bomb on April 28, 2005. He was awarded the Purple Heart and the Bronze Star for his bravery.

Marine Cpl William I. Salazar of Las Vegas was killed on October 15, 2004, in a suicide bomb attack. Corporal Salazar was the first Marine combat photographer to be killed in action in more than 35 years. He died on his father's birthday.

Marine PFC John Lukac of Las Vegas was killed on October 30, 2004, when his convoy was attacked. The son of immigrants who escaped Communist rule in Czechoslovakia, Private Lukac had been interested in joining the Marines since the age of 12.

LCpl Nicholas Anderson of Las Vegas died on November 12, 2004, when his Humvee crashed. It had only been one year since he graduated from Bonanza High School.

Army PFC Daniel Guastaferro of Las Vegas was determined to join the Army, despite suffering a snowboarding injury that left him with a steel plate in his arm. Private Guastaferro died on January 7, 2005, when his vehicle ran off the road. He was 27 years old.

Marine LCpl Richard A. Perez, Jr. of Las Vegas died in a truck accident on February 10, 2005. LCpl Perez enlisted in the Marines shortly after his graduation from Coronado High School and volunteered to go to Iraq. He died only 10 days before he was supposed to return home.

Cpl Stanley Lapinski died on June 11, 2005 from injuries sustained in a roadside explosion. After college, he worked at several jobs, finally winding up at the Bellagio Hotel in Las Vegas. September 11 prompted him to join the Army. The 37-year old was known in his unit as "Pops."

Marine Cpl Jesse Jaime of Henderson was killed on June 15, 2005 when the vehicle he was riding in hit an explosive device. The 22-year-old had followed his twin brother's footsteps by enlisting in the Marines.

Spc Anthony S. Cometa of Las Vegas was killed on June 16, 2005 when his Humvee flipped over. He was a member of the 1864th Transportation Company, which I met with when I visited Kuwait and Iraq. Specialist Cometa was the first Nevada Army National Guard soldier to die in Iraq. He died just one day after his 21st birthday.

2LT James J. Cathey of Reno was killed by a roadside bomb on August 21, 2005. After graduating from the University of Colorado in 2004, he headed to Quantico, VA, for officer training. Known as "Cat," Cathey and his wife had just found out they were going to have their first child before he left for Iraq.

Spc Joseph Martinez of Las Vegas was killed on August 27, 2005. He was killed in combat while serving his second tour of duty in Iraq. His mother said he always wanted to be a soldier.

To all of these Nevada families—and to the families of all 2,000 U.S. troops who have fallen in Iraq—our Nation will forever be in debt to you. Your sons and daughters are heroes, and their sacrifice will never be forgotten.

**THE PRESIDING OFFICER.** The Senator from Colorado.

Mr. SALAZAR. Mr. President, I ask the pending amendment be set aside.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

AMENDMENT NO. 2226

Mr. SALAZAR. Mr. President, I call up amendment No. 2226, and I ask for its immediate consideration.

**THE PRESIDING OFFICER.** The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2226.

Mr. SALAZAR. I ask unanimous consent the reading of the amendment be dispensed with.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965)

At the end of title III (before the short title), insert the following:

**SEC. \_\_\_\_\_. APPLICATIONS FOR IMPACT AID PAYMENT.**

Notwithstanding paragraphs (2) and (3) of section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)(2) and (3)), the Secretary of Education shall treat as timely filed, and shall process for payment, an application under section

8002 or section 8003 of such Act (20 U.S.C. 7702, 7703) for fiscal year 2005 from a local educational agency—

(1) that, for each of the fiscal years 2000 through 2004, submitted an application by the date specified by the Secretary of Education under section 8005(c) of such Act for the fiscal year;

(2) for which a reduction of more than \$1,000,000 was made under section 8005(d)(2) of such Act by the Secretary of Education as a result of the agency's failure to file a timely application under section 8002 or 8003 of such Act for fiscal year 2005; and

(3) that submits an application for fiscal year 2005 during the period beginning on February 2, 2004, and ending on the date of enactment of this Act.

Mr. SALAZAR. Mr. President, Senate amendment No. 2226 will provide Impact Aid to the children of the service personnel in Fort Carson, CO. It will restore \$1.2 million in needed educational Impact Aid funding to the El Paso school district. The money for this amendment has already been appropriated and sits within the Department of Education. The El Paso school district educates thousands, serving our men and women at the Fort Carson military base. Many loved ones of the students and staff of the El Paso school district have been deployed to Iraq as part of Operation Iraqi Freedom. In fact, over 11,000 soldiers from Fort Carson are currently deployed in Iraq today. That is one-half of the fort's total force.

Due to a technical error, the Department of Education denied the school district access to \$1.2 million set aside for that school district's program. The result is the district may have to eliminate as many as 12 teachers and teachers' aides positions. This amendment simply corrects a technical error between the district and the Department of Education and permits the school to access money already set aside for it.

I note, too, that I have discussed this issue with the HELP Committee.

Chairman ENZI and Ranking Member KENNEDY have graciously consented to the inclusion of this amendment on this bill. I have also been in close contact with Senators from Arizona and New Mexico who face similar challenges. They support this measure as well.

Mr. President, I ask unanimous consent to set this amendment aside to call up amendment No. 2224 and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I would suggest, if I may, that we conclude action on this amendment, with a brief reply by this side, so we can move ahead with the amendment, anticipating its adoption. I think that would be a more orderly process. So technically, I do object—with that suggestion.

The PRESIDING OFFICER. Objection is heard.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, as I said, I think it is preferable, as a proce-

dural matter, to take up the amendments one at a time so we can conclude debate on the amendments.

I believe this amendment is a good amendment. It would permit the Secretary of Education to treat as timely filed applications from El Paso, CO, school district and Window Rock, AZ, for impact aid. There is no cost involved. There is sound explanation as to why they were not timely filed.

In order for the Secretary of Education to make the payments, there needs to be legislative action. The Senator from Colorado has provided the vehicle for doing so. I support the amendment and urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Colorado.

Mr. SALAZAR. Mr. President, I would then ask my friend from Pennsylvania whether we should move for unanimous consent on the adoption of the amendment I just proposed.

Mr. SPECTER. Mr. President, the amendment on impact aid, I urge its adoption, or you can articulate it for unanimous consent to be adopted. One way or another, let's adopt it and move on.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2226) was agreed to.

Mr. SPECTER. Mr. President, I thank the Chair.

Mr. SALAZAR. Mr. President, I thank the Chair, and I also thank the chairman of the committee, my friend from Pennsylvania.

#### AMENDMENT NO. 2224

Mr. President, I call up amendment No. 2224 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2224.

The amendment is as follows:

(Purpose: To require the Secretary of Education to conduct a study to evaluate the effectiveness of violence prevention programs receiving funding under the Safe and Drug-Free Schools and Communities Act)

At the end of title III (before the short title), add the following:

SEC. \_\_\_\_\_. The Secretary of Education shall conduct a study to evaluate the effectiveness of violence prevention programs receiving funding under the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.) based on, among other things, evidence of deterrent effect, strong research design, sustained effects, and multiple site replication. The study shall also include information on what regular assessment mechanisms exist to allow the Department of Education to evaluate the efficacy of such programs on an ongoing basis. Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall submit a report to Congress describing the findings of the study.

Mr. SALAZAR. Mr. President, I am a proponent of evaluating the effectiveness of the actions we take and the

programs we enact here in this Capitol. That is because I believe that results do matter. At the end of the day, we can all say what we tried to do, but Americans will judge us by the results we achieve. We all have a responsibility to see that taxpayer dollars are spent wisely and well.

Amendment No. 2224 is a "results matter" amendment. It will simply require the Department of Education to conduct an assessment of the effectiveness of youth violence prevention programs.

These programs are vitally important in my home State of Colorado and across the Nation. During my time as Colorado's attorney general, I spent much of my time working on the investigation of the horrific murders involving many young people at Columbine High School, which remains today the bloodiest school shooting in American history.

As we worked to learn the lessons from that terrible tragedy in Colorado, we also attempted to implement programs in our schools to create safer schools and safer school communities. As I went through the process of assembling information about how we create the safest school environments possible, it became obvious to me that though we spend literally hundreds of millions of dollars on programs intended to deal with the issue of youth violence prevention, we do not know whether many of those programs work. Indeed, when we look at the facts and we look at what the science tells us, many of those programs actually harm our children more than they actually help our children.

So it is important we measure the effectiveness of these programs. This amendment will ask the Department of Education to do exactly that. I believe our violence prevention programs should actually work and that we should be able to measure them with the results we intend them to have. We owe it to the next generation to ensure that these programs are as effective as possible in preventing youth violence. This amendment will do this by providing an assessment of the programs.

Mr. President, I urge adoption of amendment No. 2224.

The PRESIDING OFFICER. Is there further debate?

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the amendment calls for the Secretary of Education to undertake a study to evaluate the effectiveness of violence prevention under the Safe and Drug-Free Schools Program. I think it is a good idea.

So frequently we make appropriations for certain purposes and never have any concrete idea as to how well the programs are working. One area analogous to this is the money we spent on literacy training and job training, so-called rehabilitation in our correctional system. It is not enough we spend the funding, never having an idea as to really what works and what

does not work in terms of stopping recidivism.

I believe the Senator from Colorado has struck a good idea. I support the amendment and join with the Senator from Colorado in urging its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2224) was agreed to.

Mr. SPECTER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2225

Mr. SALAZAR. Mr. President, I call up amendment No. 2225 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2225.

Mr. SALAZAR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for a study of national service programs in the rural United States)

On page 196, strike line 14 and insert the following:

tional poverty level: *Provided further*, That the Corporation shall use a portion of the funds made available under this heading to conduct an evaluation, after consultation with experts on national service programs and rural community leaders, of programs carried out under the national service laws (consisting of that Act and the National and Community Service Act of 1990) in rural areas, to determine utilization of the programs and to develop new and innovative strategies that would prioritize geographic diversity of the programs carried out under the national service laws to increase the presence of the programs in rural areas.

Mr. SALAZAR. Mr. President, amendment No. 2225 also makes sure that our national service programs effectively serve all of our citizens. This amendment calls on the Corporation for National and Community Service to report on efforts to bring its programs to rural communities.

These programs include, first, the AmeriCorps program, which has done wonders, which was created in 1994 and provides opportunities for more than 70,000 Americans to work in 3,000 public agencies, faith-based and other community organizations. Through the various AmeriCorps programs, volunteers tutor and mentor youth, build affordable housing, teach computer skills, take care of our environment, and help communities respond to disasters. In exchange, they are given an opportunity to build career skills, to invest in a community, and are provided a small educational stipend.

The programs also include Senior Corps, which recognizes that seniors

are one of America's most vital resources.

The programs also include Learn and Serve America. Learn and Serve America supports schools, higher education institutions, and community-based organizations that engage students, their teachers, and others in service-learning. Through Learn and Serve, students get their hands dirty. Service-learning connects teaching in the classroom with communities. Nearly 1 million students participated in Learn and Serve programs last year.

The resources marshaled by these service programs—students, elders, and energized and committed people—can help unlock the door to rural development in America. It is my hope that the corporation will come up with new and innovative strategies for increasing rural participation in national service programs. This amendment will not cost additional money and has the potential to benefit rural communities throughout the Nation. We owe it to our rural communities to make sure our national programs are serving them. We must not allow rural America to be left behind by these very important national service programs.

Mr. President, amendment No. 2225 would direct the Corporation of National and Community Service, CNCS, to conduct an evaluation of the presence of their programs in rural America. The study would include programs funded by the Domestic Volunteer Service Act of 1973 and the National and Community Service Act of 1990, presence in Rural America. In addition, CNCS, in consultation with national service experts and rural community leaders, is directed to develop new and innovative strategies to prioritize increasing rural communities' participation in CNCS programs. The amendment does not require additional funding.

As per Jane Oates at 4-8460, Senator KENNEDY has no objections to the amendment.

As per Beth Beuhlmann at 4-6770, Senator ENZI is reviewing the amendment language, but appears to have no objections since the amendment is cost neutral.

As per Brandon Avila at 606-6728, Corporation for National and Community Service, Office of Legislation and Government Affairs, they are reviewing but are supporting of conducting evaluations that help increase CNCS programs in rural areas.

In addition, we have touched base with Voices for National Service, a national service non-profit coalition. They are very supporting of the amendment's intent.

Mr. President, I urge adoption of amendment No. 2225.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, before the amendment is adopted, I would like to have an opportunity to speak on this side of the aisle.

This amendment would use a portion of the funds for the Corporation for Na-

tional and Community Service to do a study of national service programs in rural areas. I think, again, this is a good idea which the Senator from Colorado is offering. Rural areas are too often underserved and underfocused. Pennsylvania has more people living in rural areas than any other State in the Union. It might be surprising, but we do.

I think it is a good amendment, and I will now defer to the Senator from Colorado for urging its adoption.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 2225) was agreed to.

Mr. SPECTER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2223

Mr. SALAZAR. Mr. President, finally, I call up amendment No. 2223 and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2223.

Mr. SALAZAR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for the safe and drug-free schools and communities program)

At the end of title III (before the short title), insert the following:

SEC. \_\_\_\_\_. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$15,000,000 to carry out subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7111 et seq.).

Mr. SALAZAR. Mr. President, amendment No. 2223 addresses a serious and growing problem that we face in our urban and rural communities. As attorney general of Colorado, I saw firsthand the growth of methamphetamine problems in communities throughout my State. Meth usage has increased in rural towns and communities across our Nation.

Some of the facts are startling.

According to the National Association of Counties, meth use is the Nation's most serious local drug problem today.

Secondly, 58 out of 500 county law enforcement officials have said methamphetamine use is, in fact, their largest problem.

Third, 87 percent of county law enforcement officials reported increases

in meth arrests in just the last 3 years. In the West, methamphetamine use is a growing problem. Between 67 and 75 percent of the western counties rated meth as their No. 1 drug problem.

The labs for meth production are rising in rural areas. Because meth can be made in the home and has harsh effects on the environment, it is easier to hide from authorities in rural areas. Three of our most rural States—Missouri, Iowa, and Tennessee—have the highest number of meth labs, with over 5,000 meth labs in those three States alone. Meth labs in Colorado have been on the rise, with over 225 meth labs this last year in my State.

In a report by Congressional Quarterly, the Drug Enforcement Agency said that meth use is the No. 1 drug threat in rural America. The production of meth has spiked, from 327 labs nationwide being busted in 1995 to over 17,000 meth labs busted in 2005; that is, in a period of 10 years, we have gone from busting 327 meth labs to over 17,000 meth labs.

Our health infrastructure has dealt with the meth use increase as well, with emergency room visits due to meth use doubling in 7 years.

This amendment I have proposed will restore \$15 million in funding to the Safe and Drug-Free Schools State grant program, which funds virtually all of the drug prevention programs in our Nation, to ensure that our schools and communities are as safe and drug-free as we can make them. We need to help our young people understand the dangers of drugs, including meth, and this amendment takes an important step toward making this issue the Federal priority it should be.

Mr. President, I thank my good friend from Pennsylvania and yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, this amendment would add \$15 million to a program. While it is a very good program, regrettably, this would exceed the allocation which has been given to the subcommittee. I, therefore, have to oppose it. It is subject to a point of order.

For the record, I raise a point of order under section 302(f) of the Congressional Budget Act, as amended, that the amendment provides budget authority and outlays in excess of the subcommittee's 302(b) allocation under the fiscal year 2006 concurrent resolution on the budget and, therefore, is not in order.

As I had discussed with the Senator from Colorado, this will require 60 votes for the Senator from Colorado to prevail. So the choice is his as to whether we move ahead to vote on it at some point during the consideration of the bill. I ask how the Senator from Colorado would like to proceed.

Mr. SALAZAR. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of the act for pur-

poses of the pending amendment. I ask that we dispense with a rollcall vote and that we just do a voice vote on this amendment at the appropriate time.

Mr. SPECTER. That is acceptable, provided those on the floor can muster a no which either exceeds the ayes or is so recognized by the Chair to be the predominant voice vote. I call for the question on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act in relation to amendment No. 2223.

In the opinion of the Chair, the motion has failed and the Senate has not obtained the three-fifths majority necessary for passage. The point of order is sustained, and the amendment falls.

Mr. SPECTER. I thank the Senator from Colorado for coming forward at this early stage with these four amendments to help move processing of the bill.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I thank my good friend from Pennsylvania for his leadership, not only on this bill but also on so many other important issues that we are working on in the Senate today.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 2194

Mr. PRYOR. Mr. President, I rise to speak on the Reed-Collins LIHEAP amendment. I want to speak to all of my colleagues, but mostly I want to address my comments to my colleagues from the South and the West. I thank Senator JACK REED and Senator SUSAN COLLINS for their cosponsorship of amendment No. 2194, bringing forward the issue of LIHEAP funding. We all know that LIHEAP funding has decreased in real dollars for over a decade now. Senators REED and COLLINS have shown true leadership in offering their amendment. Hopefully, we will vote on it today. They have shown national leadership with what they are trying to accomplish.

In the face of rising energy prices, the poorest among us have been hit the hardest. They are paying about \$3 at the pump right now. We have had a record hot summer in many parts of the country. Their utility bills have been going up and up. Low-income families need our help. I believe we can do better. We can think of ways to help our low-income constituents and low-income Americans. The Reed-Collins amendment can do that. It adds \$3.1 billion to the core LIHEAP program. This is what Southern and Western Senators need to understand. I don't want any of my colleagues to be surprised when the amendment comes to the floor for a vote today. I hope that all their staff who are listening will please advise their bosses accordingly. This money will go to LIHEAP's core program.

When I say "core program," that means it will not be designated as emergency funding for the Department

of Health and Human Services. Why is that significant? It is significant for this basic reason. By giving the money to the core program instead of HHS, the amendment helps put low-income heating applicants in Southern and Western States on better footing.

Let me explain. In the past, Health and Human Services has had discretion. When we put emergency funding there, they have had discretion on how they spend it. Their track record has been very clear. They seem to prioritize areas of the country that are heated with home heating oil. What we are trying to do is put the money into the core program, which means it goes into the formula that has been long established in Federal law, which means in States all across America—States such as Arkansas in the South and the West—people who are going to be facing record high prices for natural gas this winter will receive some relief.

Unfortunately, when we get emergency funding, many of the States are not helped as much as the formula would help them. I am not disputing at all that the Northeast and the Midwest face very harsh winters, more so than the South and some parts of the West. But we have low-income citizens in our States, too, who need to heat their homes this winter. I believe it is a more effective and better way to put money into the core LIHEAP program, sending it through the formula, rather than leaving it to the discretion of HHS.

I am happy to join Senators REED and COLLINS in this effort. It is a bipartisan effort. I want my colleagues to understand that. In my view, it is better than past proposals. It is better because it is more equitable in its distribution. It is bipartisan. Southern and Western Senators have a chance to help the people in their States with this vote. It will help people all across America. This amendment also recognizes the high cost of natural gas this winter. All the experts who have looked at this say natural gas is going to be at a record high price for consumers this winter. It acknowledges the high cost of other forms of energy to heat our homes.

I don't want my colleagues to be surprised when this comes to the floor for a vote at some point this afternoon or tonight. I would hate for any Senator to vote against this and then later learn that this is their best opportunity to help their constituents during this very cold and expensive winter.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, we have been proceeding reasonably well on handling amendments. We had a short period between 12 and 12:30 where we did not have amendments pending. I understand we will have an amendment presented at about 6 o'clock this evening. But that leaves us with an hour and 22 minutes. The distinguished

Senator from Texas wishes to speak for 10 or 15 minutes. We can accommodate his schedule. We have quite a number of amendments which have been filed and others where there has been an indication that there will be amendments. I urge my colleagues to come to the floor. Floor time is hard to find. When this bill moves ahead tomorrow or the day after or Friday, the bill is going to be finished this week, however long it takes us. We are anxious to conclude the work of the Senate. Now is the time.

I yield to my distinguished colleague from Texas 10 to 15 minutes, as he chooses, and ask unanimous consent for his recognition to speak for up to 15 minutes.

**THE PRESIDING OFFICER.** Without objection, it is so ordered. The Senator from Texas is recognized.

IRAQ

Mr. CORNYN. Mr. President, I would like to thank the distinguished manager of the bill, the chairman of the Senate Judiciary Committee, on which I am honored to serve, for his accommodation. I certainly do not want to detract from the efforts to complete this important appropriations bill. I do thank the Senator for yielding to me so I may address some of the historic events occurring today in Iraq. This has been the subject of other speakers. I thought it was important that while this is on the minds of a lot of people, that we talk about some of our successes in Iraq and what the facts are with regard to what reality is like there on the ground.

I am disappointed to hear some Members, primarily on the other side of the aisle, this morning blaming America for the insurgency and claiming that our military does not have a plan for victory. That is not true as a factual matter, and they know it. As recently as a couple of weeks ago, we had the commander of the coalition forces in Iraq, General George Casey, and the CENTCOM commander, General John Abizaid here, along with Secretary Rumsfeld and others, to talk precisely about what conditions were like on the ground in Iraq, how our plan was going, and what the future looked like. We do have a plan, and I wanted to talk about it for a minute.

I want to note my concern that to use Iraq as a convenient political football only undercuts the brave young men and women who are fighting there, not only on behalf of the beleaguered Iraqi people but on behalf of us here. We know that the central front in the war on terror today is in Iraq. We know that foreign fighters and other jihadists who adhere to an extremist ideology, who believe that they can use force to kill innocent Americans because they simply hate who we are and our way of life, that Iraq is where they are being drawn. If we leave prematurely, if we fail to finish the job that we have undertaken there, then it will simply leave a haven available for those who want to train, recruit, and

finance international terrorism and who will then threaten us on our own shores, as we were hit dramatically on September 11.

In reality, it is the critics of our military that have no plan. They simply want to cut and run. They believe in retreat. The most disturbing of all, their proposals serve merely to divide the American people.

I am particularly concerned when I hear people make the argument, as I have heard on the floor of the Senate, that Iraq was not a threat to the United States and the rest of the world. Perhaps these critics need to be reminded of the statement of President Clinton in 1998 which clearly lays out the threat that Iraq posed at that time. President Clinton said, talking about Saddam:

What if he fails to comply, and we fail to act, or we take some ambiguous third route which gives him yet more opportunities to develop this program of weapons of mass destruction . . . He will then conclude he can go right on and do more to rebuild an arsenal of devastating destruction. And some day, some way, I guarantee you, he'll use the arsenal.

This was on February 17, 1998, President Bill Clinton.

Then, on December 16, 1998, President Clinton said:

The hard fact is that so long as Saddam remains in power, he threatens the well-being of this people, the peace of the region, and the security of the world. The best way to end that threat once and for all is with a new Iraqi government, a government ready to live in peace with its neighbors, a government that respects the rights of its people.

That was President Clinton on December 16, 1998. I am pleased that this body passed that same year the Iraq Liberation Act of 1998, which stated:

It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime.

The Congress passed that legislation because, indeed, Saddam Hussein was a threat in 1998 and remained a threat. Fortunately, today, he is no longer a threat. But we must stay the course.

Complaints without solutions are simply not productive. What are the proposals coming from those who criticize our current efforts in Iraq? Some complain that we don't have enough troops in Iraq to finish the job, but at the same time all they talk about is creating an arbitrary timetable for cutting and running and bringing those troops home before they finish the job, before we finish the job. Then others say our presence in Iraq actually creates additional terrorism. But what they don't explain is what we would leave the Iraqis with if we were to leave prematurely. Again, complaints are not solutions.

GEN George Casey, whom I mentioned a moment ago, who is the leader of the coalition forces in Iraq, said when he testified before the Senate Armed Services Committee:

We're in a tough fight but we've been in tough fights before to advance the cause of democracy and to protect our way of life. We should not be afraid of this fight. We and the Iraqi people will prevail in this battle of wills if we don't lose ours.

Again:

We and the Iraqi people will prevail in this battle of wills if we don't lose ours.

Just this morning, we heard that the Independent Electoral Commission of Iraq has announced an overwhelming majority of Iraqis has approved the country's constitution; that is, 78 percent of those who voted yes to approve that constitution which has now been cleared. You know what. Their voter turnout was 63 percent, better than most elections we hold here in the United States, given our long tradition of constitutional democracy.

Soon the Iraqi people will have a chance to elect their elected representatives in parliamentary elections on December 15 which will provide the final step in their march to democracy and self-determination.

Yes, the Nation of Iraq has made remarkable political progress in the last 2 years, but they still have a way to go to achieve a fully functioning democracy. Last week, Secretary of State Condoleezza Rice testified before the Senate Foreign Relations Committee, and in her eloquent remarks she clearly outlined the political and military strategy in Iraq: Clear, hold, build. Clear, hold, build. That is to clear areas from insurgent control, to hold them securely, and to build durable national Iraqi institutions.

I could not agree more with Secretary Rice. This is a strategy that has been articulated for quite some time now by the President of the United States. This strategy is the only way we will see the blossoming of a democratic Iraq.

In 2003, not that long ago, the brutal reign of Saddam Hussein was brought to an end. The Iraqi people were liberated and a provisional government established. In 2004, a five-step plan was announced to end occupation in Iraq and to bring our troops home, and in 2005 that transition is well underway.

Our strategy is working. The Iraqi people will vote in elections in December and soon will select a government that will serve them for the next 4 years.

As I mentioned, Iraqi participation in these recent elections was very strong, including among Sunnis who boycotted the earlier election last January. These elections were also much more peaceful than the previous elections. A clear path is being charted to implement the rule of law and we must continue our support for the Iraqi people to achieve success.

It is clear that the implementation of the rule of law is the next step, a necessary next step to achieve stability in Iraq. It is in the absence of democracy, it is in the vacuum created by the absence of the rule of law, that there is no forum, no mechanism for justice to

address grievances in which extremism will rear again its ugly head.

Only 2 short years ago the people of Iraq were oppressed by a brutal dictator. Those who privately yearned for freedom held their silence out of fear for their lives. No more. As it has been said before, freedom is on the march.

Part of implementing law and justice, not to mention providing a measure of closure for the people of Iraq, is the trial of Saddam Hussein which began on October 19. Unfortunately, this trial has been postponed because—and it comes as perhaps no surprise—the defense lawyers representing him said they needed more time to prepare.

Well, I for one do not begrudge them additional time, but it is not so much for them, because I doubt any level of preparation, any amount of investigation will absolve Saddam Hussein of the blood that is on his hands, but I do believe that perception is important, and it is important that the public perception, the international perspective be that this is, indeed, a fair proceeding and that Saddam Hussein, even the most brutal of tyrants and dictators, is, indeed, entitled to the protection of the rule of law and entitled to a fair process.

Of course, this trial is one of the first formal acts in the path to restoring the rule of law, and it is important Iraq demonstrate to the world that it can conduct this trial in a fair manner, as it is a foundational and deeply symbolic proceeding.

A series of declassified U.S. intelligence documents and other U.S. agency reports provides a wealth of evidence substantiating Saddam Hussein's human rights abuses and more evidence of Saddam's brutality is provided by the people of Iraq who had suffered under his boot heel for years. A portion of these documents concerned Saddam's responsibility, along with other members of his regime, for the massacre in 1982 of Shiites in a town 35 miles north of Baghdad after an unsuccessful coup d'état, including an attempt on the dictator's life. It is said he may be tried at least a dozen times for crimes he committed during his regime, to include gassing of Kurds and suppression of a Shiite uprising in the south. However, the Iraqi Government is reportedly considering foregoing additional trials if Saddam is convicted as expected and such conviction results in the death penalty under the laws of the sovereign nation of Iraq.

In remarks before the United Nations, Iraqi Foreign Minister Hoshiyar Zebari said that under the rule of Saddam Hussein, Iraq was "a murderous tyranny that lasted 35 years and today we are unearthing thousands of victims in horrifying testament." In a report entitled "Mass Graves: Iraq's Legacy of Terror," compiled by the United States Agency for International Development, it is estimated that nearly 400,000 Iraqis lie buried in mass graves—Kurds, Shiites, Sunnis, Egyptians, Kuwaitis, Iranians, all killed because neither

Saddam Hussein nor his regime valued life in the least.

I am confident that some day in the not too distant future an appropriate measure of justice will be meted out to Saddam Hussein for the atrocities he committed against his own people, the people of Iraq. And that is as it should be. I am sure that the symbolism of this first tribunal being held in Iraq to try their former dictator is not lost on the people of Iraq. This restoration of the rule of law, this process which is designed to administer justice, is commensurate with the rule of law.

We must continue working with the Iraqi people to ensure that democracy, freedom, progress, free markets, self-governance, and the rule of law are allowed to flourish. It is the only way to promote stability in that country and throughout the greater Middle East.

There is no enemy on the face of the Earth that can defeat the people of the United States of America unless, of course, it is the American people ourselves, by losing our resolve to stay the course, to finish a job that was just in its initiation and which is just in its goals. We must stay the course. We must maintain our resolve. To hear the comments of those here in this body and elsewhere who would attempt to hijack this just cause in the interest of political gamesmanship does nothing but harm our efforts, the resolve of the American people, and undermine the heroic and noble efforts being carried out on a daily basis by our young men and women who are fighting in freedom's cause, not just for us but for the people of Iraq.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, the regular order is that we are back on the bill, is that right?

The PRESIDING OFFICER. We are on the bill.

AMENDMENT NO. 2194

Mr. GREGG. Mr. President, obviously, the amendment that is now pending of the Senator from Rhode Island and the Senator from Maine is an amendment I am sympathetic to. Those of us who come from the northern States, whether they be in the Midwest or New England, recognize that winter can be a beautiful time. Snow is wonderful, lovely, and certainly brings skiers to our region, and we very much encourage that. But it can also be an extraordinarily difficult time, difficult for people who are living on a fixed income, a set income, difficult for folks who have to find ways to heat their home and also meet the expenses of everyday life. Certainly keeping home heating is about as important an expense as you can have in everyday life. It is especially hard on senior citizens, seniors who have obviously fixed incomes in most instances. When the price of their fuel oil jumps significantly, they do not have a whole lot of opportunity to adjust their income because they are no longer earning a sal-

ary, usually, in most instances in order to meet that increase in cost. We have obviously seen a dramatic rise in the cost of energy prices, especially home heating oil and in the gas area for homes. So the issue becomes how do we help these people who, through no action of their own, find themselves in a dire financial situation and facing a very stark situation this winter, should they not have the dollars necessary to pay for their home heating oil.

We are talking about people of very low incomes, people who are on fixed incomes, in most instances people who are senior citizens, and the Low-Income Heating Assistance Program which has been in place for a number of years has been a way of helping these people bridge this period, and it has always been focused on the neediest of the needy. It has been a well-administered program, at least in the State of New Hampshire where people who were clearly in distress, who have situations where they simply are unable to afford the cost of keeping their home heated in the middle of an extremely cold winter, had a place to go to get some assistance.

It is a good program for that reason. It has been strongly supported over the years in a bipartisan way. The administration has consistently funded this program and has, to its credit, always released money early when it was necessary due to cold weather hitting us sooner than might have been originally anticipated under the traditional weather patterns, which is what happened last year. But this year we do face the unique situation of these huge runups in the cost of home heating oil in New England specifically and, of course, the gas across the Midwest and into parts of New England, and this runup is a function of a lot of different events. The Katrina situation is a big part of it. It has disrupted the refining capacity of our Nation rather significantly. Obviously, the instability of the Middle East is another part of it. The demand which is now being created in parts of Asia, especially China and India, as those economies expand, is part of it.

But whatever the reason, we are seeing a dramatic jump in the cost of home heating oil specifically and therefore we know a lot of people, as we head into winter—and believe me, it is getting cold in New Hampshire. In fact, today there was a fair amount of snow in many parts of our State—we know these people are going to need some help, people of very low income, people who are living on very fixed and tight budgets.

So it is appropriate that we expand the LIHEAP program to meet this unanticipated cost which is no fault of anybody's, certainly not those who are receiving the benefit of this program.

The question is how do we expand this program? Over the last few weeks, we have had a number of attempts to expand this program. It really was not

in a manner we call fiscally prudent or responsible, and we simply said we are going to put a lot of money in this program, money not budgeted, money outside the budget, and do it in a manner which would have violated the budget. So points of order were made against those proposals, and those points of order have all been sustained, and appropriately so.

We do have a budget under which we must live. The issue is how do we set priorities within that budget. Right now I believe one of our actions should be to set a priority to put more money into the Low-Income Home Energy Assistance Program. We should absolutely do that, but we should do it in a way that is responsible so we do not end up passing the bills for today's energy costs on to our children by creating more debt.

I don't think senior citizens who benefit from the low-income energy program want us to go into debt to pay for their energy costs and end up with our children paying the cost of their energy today, when their children might need the same type of support and would be less able to get it if they had to pay for not only their energy costs but also pay for the low-income energy costs of the last generation, the generation of today.

The proper way to do this is to increase the LIHEAP program in a way that is fiscally responsible. The best way to do that is to look at what the need is, to begin with. The program costs or additional costs of the program, which we know will probably be generated as they can best be projected, on top of the money already being spent on the program, which is about \$2.4 billion, is about \$1.276 billion.

This number of the additional cost increase, which is a fairly significant number—it is a lot of money—that was essentially reached by calculating the increase in energy cost as a result of a runup in energy prices and finding out how much oil and gas was used last year by this program and then basically converting that to the increase in the cost of the program.

So the number that has been generally agreed to around here as being the correct number and the reasonable number and the number that would be consistent with the historic needs of the program is \$1.276 billion.

It is not me saying this, by the way. I didn't come to that number. Actually, 41 Members of the Senate signed a letter saying that. They wrote the Chairman and Ranking Member of the Senate Appropriations Committee on September 20—not that long ago—and asked for an increase in the Low-Income Home Energy Assistance Program by \$1.27 billion. Signing that letter were Senator COLLINS and Senator REED, who are the authors of the pending amendment, along with, as I mentioned, 41 other Members, which is a fairly large number of the membership of the Senate, many of whom are from

the Northeast. They reached that number through the calculations I just said. So that number is a reasonable number.

I ask unanimous consent that this letter, signed by 41 Senators, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
Washington, DC, September 20, 2005.  
Hon. THAD COCHRAN,  
Chairman, Committee on Appropriations,  
U.S. Senate, Washington, DC.  
Hon. ROBERT C. BYRD,  
Ranking Member, Committee on Appropriations,  
U.S. Senate, Washington, DC.

DEAR CHAIRMAN COCHRAN AND RANKING MEMBER BYRD: Hurricane Katrina upset the lives of millions, displacing families from their homes and inflicting severe economic damage. Without question, the people of the Gulf region deserve our support, and we stand ready to help. As the Appropriations Committee considers an urgently needed comprehensive supplemental appropriations bill to address Hurricane Katrina's devastation as well as its economic and energy impacts on the nation, we urge you to include \$1.276 billion in emergency Low Income Home Energy Assistance Program (LIHEAP) funds. With this additional funding, the LIHEAP program will be able to provide the same level of purchasing power as last year. This funding is critical to avoid a looming, but preventable, crisis for millions of additional Americans caused by the soaring cost and diminishing affordability of home heating fuel as winter approaches.

The effects of Hurricane Katrina are being felt by Americans outside of the Gulf Region as gasoline, heating oil, and natural gas prices rise in the wake of this disaster. Indeed, there is an imminent emergency confronting millions of low-income Americans unable to afford the cost of rising energy prices. The current skyrocketing in energy prices coupled with energy debt remaining from last winter and this summer are leading to increased disconnections and arrears among consumers as the winter heating season begins—threatening the well-being of low-income families and seniors. This situation warrants the provision of emergency LIHEAP funding in the comprehensive supplemental request.

Prior to Hurricane Katrina's devastation in the Gulf region, Americans were facing record prices for oil, natural gas, and propane. Hurricane Katrina damaged platforms and ports and curtailed production at refineries in the Gulf of Mexico, the source of almost a third of U.S. oil output. Crude oil for October delivery stands at over \$66 a barrel on the New York Mercantile Exchange. Heating oil prices increased dramatically after Hurricane Katrina. Prices averaged \$1.70 per gallon in July, but now stand over \$2 per gallon. Before Hurricane Katrina struck, the Energy Information Administration (EIA) predicted a 16 percent increase in heating oil costs. This increase comes on top of the 34 percent increase during the 2003–2004 winter. Natural gas prices also rose dramatically after Hurricane Katrina, and now stand over \$12, more than 140 percent increase compared to last year at this time. EIA's Short-term Energy Outlook reports, "The ranges for expected heating fuel expenditure increases this winter are 69 percent to 77 percent for natural gas in the Midwest; 17 percent to 18 percent for electricity in the South; 29 percent to 33 percent for heating oil in the Northeast; and 39 percent to 43 percent for propane in the Midwest." Heating costs for

the average family using heating oil are projected to hit \$1,666 during the upcoming winter. This represents an increase of \$403 over last winter's prices and \$714 over the winter heating season of 2003–04. For families using natural gas, prices are projected to hit \$1,568, representing an increase of \$611 over last year's prices and \$643 over 2003–04. States need additional funding immediately to help low-income families and seniors to ensure they can afford to heat their homes. States are bracing for potentially crisis conditions caused by the lack of affordable heating sources, particularly for seniors and the disabled.

Almost daily, newspapers are reporting on the impacts of higher energy costs for consumers. Hurricane Katrina's impact on energy markets comes on top of soaring energy prices over the past several years. Utilities from New England to Florida to Oregon are seeking rate increases. In addition to rising energy prices, the economic devastation in the Gulf region is likely to impact the national economy. Many more Americans will need LIHEAP assistance than the 5 million households that received aid during FY 2005. State LIHEAP programs are expecting a major increase in applications due to the rapid increase in home energy prices and this additional funding will allow them to address the need for assistance.

Residents and business affected by Hurricane Katrina deserve the nation's full support and financial assistance, and we stand ready and willing to do everything we can to help. We recognize that the Committee is still working to assess the needs wrought by Hurricane Katrina and will face difficult priorities in determining emergency funding. We feel that preventing hardship for millions of Americans by acting to provide LIHEAP emergency funds before we have another crisis on our hands is an important priority. Thank you for your serious consideration of our request.

Sincerely,  
Susan M. Collins, Jeff Bingaman, Olympia Snowe, Jack Reed, Joe Biden, Hillary Rodham Clinton, Frank R. Lautenberg, Debbie Stabenow, Carl Levin, Dick Lugar, Chris Dodd, Evan Bayh, Patrick Leahy, Mike DeWine, Mark Dayton, Jay Rockefeller, Barack Obama, Edward M. Kennedy, Jon S. Corzine, Max Baucus, Ken Salazar, Joe Lieberman, Barbara A. Mikulski, Paul S. Sarbanes, Jim Jeffords, Herb Kohl, Maria Cantwell, Kent Conrad, Lisa Murkowski, Byron L. Dorgan, Russell D. Feingold, Charles Schumer, Lincoln Chafee, John F. Kerry, Mark Pryor, Blanche L. Lincoln, Dianne Feinstein, Dick Durbin, Gordon H. Smith, Conrad Burns, Tom Carper, Pete V. Domenici, Tim Johnson, Ron Wyden, Norm Coleman, Jim Talent.

Mr. GREGG. Mr. President, I think that establishes pretty definitively what the number is. In fact, I drafted an amendment, which I intend to offer at this time, which would increase the funding for low-income energy assistance by an amount of \$1.276 billion. The \$1.276 billion which is, I believe, the agreed-to number about which 41 Members of this Senate, all of whom I believe are probably supporting various amendments in this area, signed a letter asking the Chairman and Ranking Member of the Appropriations Committee to put in place an increase in the LIHEAP program—is going to be the amount by which my amendment increases the LIHEAP program.

That is a significant increase, a rather dramatic increase, in fact, and it represents, as a percentage, probably about a 50-percent increase in the program or well over a 50-percent increase; in fact, a 58-percent increase in funding and, in fact, hits the target we need to aim at in order to make sure that people of low incomes, living on fixed incomes, will have the necessary support they need to fund the cost of their energy this winter during the coldest months so they do not have to be put in a situation where they choose between food and warmth, something that would be inexcusable and inappropriate.

There is a further thing that my amendment does because I do believe in a fiscally responsible approach, and I believe Congress has an obligation to set priorities. There is no question in my mind that an immediate priority for us is that we make sure that the low-income energy assistance program is adequately funded heading into what will obviously be a difficult winter in light of the high energy costs. That should be a priority of our Government. But in setting that priority, we should not pass the debt, as I said earlier, of funding that program on to our children. We should decide what we are going to cut or how we are going to reduce the rate of growth in spending at the Federal level to pay for this program.

So my amendment, in addition to adding this fairly significant, rather dramatic increase in funding to the LIHEAP program, and a number which was originally supported by the 41 signatories of the letter to the Chairman and Ranking Member of the Appropriations Committee, also puts in place an offset to pay for this.

The offset represents an across-the-board cut under this bill of all accounts. It comes out to be less than a 1-percent cut, a nine-tenths-of-1-percent reduction in spending across other accounts to pay for this LIHEAP spending. That is the proper way to approach an issue such as this.

Let's determine whether or not it is a priority. If it is a priority—and I believe it is a priority—to fund LIHEAP, then let's fund it and not pass it on to our children.

That is what I do in this amendment. Rather than sending it up as a second degree, I ask unanimous consent that the pending amendment be set aside.

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

MR. OBAMA. Mr. President, I rise today in support of the amendment offered by Senators REED and COLLINS to the Fiscal Year 2006 Labor, HHS appropriations bill to appropriate \$2.92 billion emergency funding for the Low-Income Home Energy Assistance Program (LIHEAP).

LIHEAP provides much needed assistance to Americans who might otherwise be forced to choose between heating their home during the winter

months and putting food on the table for their family. In Illinois, 311,000 households received LIHEAP assistance last winter, out of 600,000 that applied. Clearly there is much more need than there are available funds.

If you have never experienced an Illinois winter, I can tell you that it can be bitterly cold. In January, the wind coming off of Lake Michigan near my house in Chicago will chill you to the bone. This year, the National Oceanic and Atmospheric Association is projecting an even colder than average winter. As a result of colder temperatures and rising energy prices, the Department of Energy's Energy Information Administration is predicting that families will be faced with significantly higher heating costs than last year. Those families whose homes are heated primarily by natural gas will pay about \$350 more this winter, families in homes heated primarily by propane will pay an average of \$325 more, and families in homes heated primarily by heating oil will pay, on average, as much as \$378 more than last year.

With the expected increase in heating costs, there will be an increased demand for LIHEAP assistance. Already this year, 100,000 Illinois households have applied for help with their heating bills for the coming winter, a higher than average number for this point in the year. The \$2.92 billion in emergency funding proposed in this amendment will supplement the \$2.18 billion already contained in the Labor-HHS appropriations bill to fully fund LIHEAP at a total of \$5.1 billion.

Livable shelter is a basic human necessity. Without authorizing these emergency funds: we put the elderly, the disabled and the low-income families that depend on this aid at risk. If we have learned anything from the tragedy of Hurricane Katrina, it is that we cannot afford to shortchange programs that provide assistance for the most vulnerable in our society.

I urge my colleagues to join me in supporting this important amendment.

#### AMENDMENT NO. 2253

MR. GREGG. Mr. President, I send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 2253.

MR. GREGG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase appropriations for the Low-Income Home Energy Assistance Program by \$1,276,000,000, with an across-the-board reduction)

On page 158, strike lines 12 through 21 and insert the following:

bus Budget Reconciliation Act of 1981, \$3,159,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of

1981, \$300,000,000, to remain available until expended: *Provided*, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of the Act: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

#### GENERAL PROVISION—REDUCTION AND RESCISSION

SEC. \_\_\_\_\_. (a) Amounts made available in this Act, not otherwise required by law, are reduced by 0.92 percent.

(b) The reduction described in subsection (a) shall not apply to amounts made available under this Act—

(1) for the account under the heading “LOW-INCOME HOME ENERGY ASSISTANCE”; or

(2) for the account under the heading “REFUGEE AND ENTRANT ASSISTANCE” (with respect to amounts designated as emergency requirements).

SEC. \_\_\_\_\_. (a) There is rescinded an amount equal to 0.92 of the budget authority provided in any prior appropriation Act for fiscal year 2006, for any discretionary account described in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account described in subsection (a) to the extent that it relates to budget authority described in subsection (a), and to each item of budget authority described in subsection (a); and

(2) within each such account or item, to each program, project, and activity (as delineated in the appropriation Act or accompanying report for the relevant fiscal year covering such account or item).

(c) The rescission described in subsection (a) shall not apply to budget authority provided as described in subsection (a)—

(1) for the account under the heading “LOW-INCOME HOME ENERGY ASSISTANCE”; or

(2) for the account under the heading “REFUGEE AND ENTRANT ASSISTANCE” (with respect to amounts designated as emergency requirements)”.

MR. GREGG. Mr. President, the reason I sent this amendment up as a first-degree amendment is that I believe we have an understanding with Senator REED and Senator COLLINS as to the voting sequence, and that is important, and that is why I originally asked to be protected with a second-degree amendment.

The amendment is now pending. Once again, to summarize what the amendment does, it increases the funding for LIHEAP by \$1.276 billion, which is the number which was asked originally of the administration about a month ago by 41 Senators, including Senator COLLINS and Senator REED, in a letter sent to the Chairman and Ranking Member of the Appropriations Committee. It is a significant number. The number is reached by determining what the projected costs of the increased cost of energy will be to our citizens who are living on a fixed income.

Second, it is an amendment which is paid for where we recognize we have a priority as a Government to participate in assisting these individuals who, through no fault of their own, find themselves in dire straits if the energy costs, with their significant jump in price, make it impossible for them to buy adequate heating oil to heat their

homes, and in recognizing that priority, we pursue a policy of making sure that the moneys will be put into the LIHEAP program, but at the same time it will be paid for by a reasonable, across-the-board cut, relative to other programs within this bill, on the theory it would be inappropriate to simply raise this spending without doing an across-the-board cut or without some adequate offset because that means we would be deficit financing this number and thus passing this cost on to our children to pay, rather than absorbing the cost, as it should be absorbed, by our generation.

I ask unanimous consent that Senator GRASSLEY be listed as a cosponsor.

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

Mr. GREGG. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I appreciate the thrust of the argument being advanced by the Senator from New Hampshire in terms of expenditures. There is no doubt that the deficit is excessive. There is no doubt that the national debt is an enormous burden on our society. When we deal with the issue of energy assistance for the poor, there has been a generalized agreement, as evidenced by the amendment offered by the Senator from New Hampshire, agreeing that there ought to be LIHEAP assistance.

He approaches it differently than the Reed-Collins amendment, which treats the issue as an emergency, and instead has an across-the-board cut of almost 1 percent on all funding under this bill.

The bill is not cut to the bone. The bill, in its present shape, goes into the bone. It does not have an increase for inflation. It has a very marked shortfall on many programs. We heard one this morning on education in the caption of Pell grants where there simply is not enough money to take care of the basic needs of these three departments.

Education and health care are our two major capital assets. Without good health, people cannot function. Without a decent education, people cannot progress. This allocation of \$145 billion is right to the bone.

We find ourselves in what I think is a genuine emergency situation with respect to fuel assistance. It is as much an emergency as Katrina is to the people who are victims of that hurricane. That incident has markedly raised the cost of fuel oil and natural gas where people need it for heating.

Where we can appropriate the kind of dollars which we have for Katrina—and I am not questioning that—this is right in the same boat, to use an overused metaphor.

Much as we have problems with the deficit, much as we have problems with the national debt, this is, I think, a genuine emergency, and the accounts on this bill simply cannot tolerate fur-

ther cuts. Therefore, I am constrained to oppose the amendment offered by the Senator from New Hampshire.

Mr. President, in the absence of any other Senator seeking recognition—I was about to suggest the absence of a quorum—but let me urge my colleagues to come to the floor, instead, and offer amendments. We have an indication that there will be an amendment offered at 6 o'clock. We may be in a position to vote on some amendments at that time, if no other amendments are to be offered. But we have 47 minutes between now and 6 o'clock where there is ample time for someone to come to the floor a few minutes and offer an amendment.

It may be the offerer of the next amendment will be here at 5:30. I am advised there may be a change. That still leaves us 16 minutes. We can get a lot done in 16 minutes, if somebody comes to the floor and offers an amendment. We don't like to waste any time, Mr. President. We have a complicated bill here. Wait and see, tomorrow, the day after tomorrow, Friday, or whoever knows when this week we will finish this bill—and the majority leader and the managers are determined to finish the bill—16 minutes will look like a lot of time.

I remind my colleagues about the argument over a unanimous-consent request for 1 extra minute last Thursday. We have those arguments from time to time, sometimes made by experienced Senators who know that if you object to a 1-minute unanimous consent request, it will take at least 5 minutes to straighten it out. Eventually they got the minute. Mr. President, 15 or 16 minutes is a lot of time, so I urge my colleagues to come to the floor.

In the interim, 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. McCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. McCONNELL. I ask unanimous consent I be allowed to proceed for up to 5 minutes as in morning business.

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

(The remarks of Mr. McCONNELL are printed in today's RECORD under "Morning Business.")

Mr. McCONNELL. 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. THUNE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. THUNE. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. Yes, there is.

Mr. THUNE. I ask unanimous consent to lay it aside.

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

AMENDMENT NO. 2193, AS MODIFIED

Mr. THUNE. Mr. President, I ask unanimous consent to call up and send to the desk amendment No. 2193, as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for himself, Mr. CONRAD, Mr. CRAPO, Mr. BROWNBACK, and Mr. TALENT, proposes an amendment numbered 2193, as modified.

Mr. THUNE. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of title II (before the short title), add the following:

SEC. \_\_\_\_ TELEHEALTH.

(a) APPROPRIATION.—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$10,000,000 to carry out programs and activities under the Health Care Safety Net Amendments of 2002 (Public Law 107-251) and the amendments made by such Act, and for other telehealth programs under section 330I of the Public Health Service Act (42 U.S.C. 254c-14), of which—

(1) \$2,500,000 shall be for not less than 10 telehealth resource centers that provide assistance with respect to technical, legal, and regulatory service delivery or other related barriers to the deployment of telehealth technologies, of which not less than 2 centers shall be located in a rural State with a population of less than 1,500,000 individuals;

(2) \$5,000,000 shall be for network grants and demonstration or pilot projects for telehomecare; and

(3) \$2,500,000 shall be for grants to carry out programs under which health licensing boards or various States cooperate to develop and implement policies that will reduce statutory and regulatory barriers to telehealth.

(b) OFFSET.—Notwithstanding any other provision of this Act, amounts made available under this Act for the administration and related expenses for the departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education, shall be reduced, on a pro rata basis, by \$10,000,000. The Director of the Office of Management and Budget shall administer such reductions.

Mr. THUNE. Mr. President, I ask the amendment be laid aside.

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

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

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

Mr. DORGAN. Mr. President, my understanding is we are on the appropriations bill. I will speak for 5 minutes or so on a subject unrelated to the bill.

The PRESIDING OFFICER. It is the Senator's right.

PENTAGON CLEARANCE FOR JUDITH MILLER

Mr. DORGAN. Mr. President, there has been a lot of information around this town about a New York Times reporter named Judith Miller. She has been central to a case that Mr. Fitzgerald, the special prosecutor, is looking into. There is a lot of anticipation here about what or what might not happen with respect to charges that might be filed. It has to do with the disclosure of a covert CIA agent and who might have disclosed her name and why. Judith Miller was a reporter for the New York Times and Judith Miller spent some 80-plus days in jail because she decided not to testify about that subject before a grand jury when requested by the special prosecutor. She was subsequently released and did testify.

I share the common interest in what has happened, what did the special prosecutor find, were there people in Washington, DC, who were "outing," as it were, a covert agent of the CIA, and if so, did they lie about it, did they obstruct justice. I don't know the answer and I don't pretend to know the answer to any of that. As one colleague suggested on television this weekend, these are not "technical" issues. There is no such thing as technical perjury. In any event, this is very important. But that is now why I am here now.

The reason I come to the Senate for a moment to mention Judith Miller is she wrote something in her own hand that appeared in the New York Times in recent days describing her situation. She said something that was of interest to me and alerted my curiosity. I have since made a number of calls related to that.

Judith Miller was embedded in a military unit and she said the following in her piece:

The Pentagon had given me clearance to see secret information as a part of my assignment "embedded" with a special military unit hunting for unconventional weapons [or weapons of mass destruction.]

We all understand in the Senate what it means to see secret or top secret material. We frequently are provided briefings by the CIA, by the Defense Department, by other intelligence units, briefings that are classified as either "secret," or "top secret." We understand what that means. We understand, for example, if a member of our staff is to be made available to have those clearances, clearances come only when there is a background check

and people are evaluated for receiving a clearance to possess secret or top secret information.

So I had a question when I read this article from a New York Times reporter embedded with a military unit:

The Pentagon had given me clearance to see secret information . . .

My question is, What kind of clearance would that be, that a reporter, traveling with a military unit in Iraq, searching for weapons of mass destruction, what kind of clearance would that reporter have to see classified or secret information?

I called the Pentagon to find out what kind of clearance would exist, perhaps not just with respect to this reporter. My interest would be on a broader basis. We had many reporters embedded with military units in Iraq during the invasion and during the subsequent activities, looking for weapons of mass destruction.

Based on what I can learn from the Pentagon—although it was not all that clear from the response I received—based on what I could learn from the Pentagon, it seems there was no "secret" or "top secret" clearance given this reporter.

Now, last evening I talked to a soldier in Germany, a man who was a part of the unit in which this reporter was embedded. He was very willing and interested in talking about the entire experience. The fellow from Germany, who is a sergeant in that special unit Judith Miller was embedded in, spoke at some length about what happened there. I told him of the quote Judith Miller had in the New York Times. He said he would have understood that she would have likely seen secret or even top secret information. The way the reporter is embedded in that circumstance, they have access to a substantial amount of information, could not help but have access. So the question I asked the Pentagon is, on what basis would a reporter have access to these clearances to receive secret or top secret information?

Further, it is my understanding, at least from the sergeant whom I spoke with in Germany last evening, all that was transmitted from this reporter, embedded with a military unit, was approved by the colonel involved in that military unit and material was not to be published without the colonel's approval. Well, of course, that is the censoring of the material. It is also the case as reported not only by the sergeant in the conversation I had last evening but also in previous publications, that this reporter, Judith Miller, described often her acquaintance with Donald Rumsfeld and Mr. Feith and others in the Pentagon at high levels, including generals. And she expressed freely her either agreement or disagreement with the military activities of the unit she was in, and talked about complaining back to Rumsfeld, and so on and so forth.

I don't know the voracity of all of that. All I am reporting is what I was

told by someone in that unit. That is, perhaps, for another discussion. I intend to visit about this a bit more fully tomorrow.

The first question I have is not just with respect to Judith Miller, but generally under what conditions were reporters approved to be embedded with military units and given opportunity to see secret or top secret material? Did they have security clearances or not? The Pentagon says not. This reporter said she did. If they had clearances, what kinds of clearances were they? The Pentagon said they have nondisclosure forms. How can you give a nondisclosure form to a reporter and then show them secret or top secret material? Take a look at the law, which I will read tomorrow in the Senate. That is not what is allowed.

The classification of material that is secret or top secret dealing with intelligence or military operations is not a classification that is done lightly. It is not a classification that can be overcome by someone in the Pentagon who says, Okay, put on a military shirt or a pair of military trousers and go embed yourself with that unit, and, by the way, you sign a form that says "nondisclosure." That is not the way we decide how to disperse information that is considered secret or top secret.

Those who are in our Senate community, on our staffs and so on, those who are permitted to see classified secret and top secret material, must have a clearance. That clearance must come after an investigation to determine whether that person is qualified to have classified information. I am asking the Pentagon, did they provide a clearance? The short answer says no, they did not. The writer says they did. The Pentagon says a "nondisclosure form." What on Earth is that? How many nondisclosure forms exist when they are embedding men and women in the news media with military units engaged in activities that often are secret and top secret?

I will be asking the inspector general at the Pentagon to take a look at this to evaluate for the Congress. All Members should understand this. What are the circumstances by which a reporter describes her access to see secret information because she had a "clearance" from the Pentagon when the Pentagon said she did not have a clearance? We understand what secret clearances are around here. All of us understand that. We deal with that classification every day. What are the circumstances by which a reporter is allowed to see secret or top secret information because they have a clearance, when the Pentagon says no such clearance exists?

If, in fact, it is not a clearance and the reporter has simply misspoken, if it is instead a nondisclosure form, then I would like to see the provision in law by which the Pentagon has decided to provide nondisclosure releases to journalists who join military units whose units then censor the material that comes from the journalist. And is there

in any way any implied quid pro quo, saying: Give me a clearance, embed me, let me see secret material; and by the way, I won't report on the things that are secret and you can review all things I write and take out the things you do not like?

I do not know the circumstance. What I have read in recent days raised questions for me beyond what has been raised in recent days which is the issue of the special prosecutor and his potential action before the grand jury expires. I don't know about all of that. I am as interested as others about what may or may not happen.

I am a member of the Subcommittee on Defense Appropriations. We spend a fair amount of time evaluating weapons programs and other issues that are secret and top secret. But I don't understand this, a self-description by a New York Times reporter about her clearance to see secret information as part of being embedded with the military unit.

Mr. President, I will have more to say about this tomorrow. In the meantime, I intend to try to find additional answers. They have not been forthcoming in the last couple of days. But I think all of the Congress, all of the Senate, should be asking these questions as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, we have been sitting in the Chamber without accomplishing much for more than 45 minutes now. We had, in my view, more quorum calls and more time which was not spent on the bill than we should have. We have a great many amendments pending, and we are going to be pushing ahead.

We are filing cloture today, and we are going to be pushing ahead to try to get this bill finished at the earliest time. Whether it is Thursday, Friday, or when this week, I do not know. We have been awaiting for more than 30 minutes the arrival of a Senator to offer another amendment. And very candidly, I am tired of waiting.

So that concludes the action on this bill today. We will begin tomorrow morning with a series of amendments. We had wanted to vote on a number of amendments which were pending, but we cannot because too many Senators have other commitments. That is something that is hard to understand sometimes: why we are notified mid-afternoon that Senators are too busy to attend to the business of the Senate and to vote.

I say in gest that I am going to run for majority leader on a platform to have a 4-day workweek, from Monday noon until Friday noon. That would double the workweek of the Senate. The second plank of my platform—I notice the two Senators from Georgia are amused; anybody would be amused—to hold down these votes to 15 minutes and 5 more minutes, we did pretty well on that. We had an 18½-minute vote.

So that is a little progress. The junior Senator from Georgia is nodding in the affirmative.

But we have to do better. And to advocate a 4-day workweek, which would double the work of the Senate, is said only facetiously. I would have only one vote, my own. I would have maybe two or three if I didn't run on that kind of a platform.

Seriously, we need to get on with this bill. But it is now past 6 o'clock, and that concludes our activity on the bill. I think the custom of the Senate is to move to morning business at this point.

I am advised we have not yet filed cloture, Mr. President, so I suggest the absence of a quorum so we technically stay on the bill until the final signature is added so that the cloture motion can be filed.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. 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. LEVIN. Mr. President, I ask unanimous consent that I be allowed to proceed as though in morning business for 10 minutes.

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

(The remarks of Mr. LEVIN are printed in today's RECORD under "Morning Business.")

Mr. LEVIN. Mr. President, I note that S. Res. 287, which is a resolution I introduced on behalf of Senator STABENOW, Senator REID, Senator FRIST, and I believe a majority of this body now, has been cleared for passage later on this evening. I very much welcome that development. It is fitting, indeed, that on the day after the passing of Rosa Parks the majority of this body sees it important to adopt a bipartisan resolution honoring her life.

I thank the Chair. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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.

#### CLOTURE MOTION

Mr. FRIST. Mr. President, we have been moving forward with the underlying bill, and Chairman SPECTER has indicated that he has a lineup of amendments ready for tomorrow. I know that tomorrow will be a busy day with votes in relation to those amendments. We need this final appropriations bill this week, as I have said again and again—this week and last week—and, therefore, in order to facilitate passage, I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 3010: The Labor-HHS appropriations bill.

Bill FRIST, Arlen SPECTER, Thad COCHRAN, Michael ENZI, Wayne ALLARD, Jon KYL, Rick SANTORUM, Richard LUGAR, Mike DWINE, Craig THOMAS, Mel MARTINEZ, Sam BROWNBACK, Kay BAILEY HUTCHISON, John THUNE, Orrin HATCH, Robert BENNETT, Mike CRAPO.

Mr. FRIST. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. FRIST. This cloture vote will occur Thursday morning. We will announce the exact time sometime during tomorrow's session, hopefully Thursday morning.

Mr. OBAMA. Mr. President, I rise today to support an important cause, at a critical time, increasing the representation of students from underrepresented backgrounds in law school and the legal profession.

Senator DURBIN and I have introduced an amendment to the Labor, Health and Human Services, and Education appropriations bill that would restore funding for a program which seeks to do just that the Thurgood Marshall Legal Educational Opportunity Program. The Marshall Program provides technical assistance, training, coaching, and financial assistance to prospective law students who might otherwise experience academic or financial obstacles to law school success. It also runs 6-week Summer Institutes that serve as a bridge between college and law school, and helps law students prepare for the bar exam. Since its inception, over 7,000 students have received their law degrees with help from the Marshall Program. I am proud to say that some of the Program's valuable initiatives are held at Illinois' own Northern Illinois University and DePaul University.

Judges, prosecutors, public defenders, and other legal professionals are the faces of our justice system. It is important that these individuals come from a variety of experiences, and bring to their jobs a diverse range of perspectives. According to a national study commissioned in 2000, however, half of those polled believed that the justice system treated people differently because of their background. One important way to address this problem is to make sure that working-class people and students from different cultural backgrounds have the opportunity to go to law school and successfully enter the legal profession.

Equally important is the effect these students will have on their families and their communities. The Marshall Program's benefits extend not only to

program participants but also to the generations that follow behind them. Every person who rises from limited means to become a doctor or lawyer in this country is also a mother, father, sister or brother who will help bring resources to their families, leadership to their neighborhoods, and hope to their communities. The Marshall Program helps to expand opportunities, for this generation of Americans and the next.

I am proud to support the cause of increasing the representation of students from less advantaged backgrounds in the legal profession. I urge my colleagues to do the same.

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

#### LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On September, 19, 1998, two men and two women pulled up to Peter Johnson's car in Chicago, IL, and asked him if he was gay. When he replied that he was, the four people exited the vehicle and beat the man. He was then taken to a local hospital and treated for injuries that he had sustained during the attack.

I believe that our Government's first duty is to defend its citizens, in all circumstances, from threats to them at home. The Local Law Enforcement Enhancement Act is a major step forward in achieving that goal. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### EARTHQUAKE RELIEF FOR PAKISTAN

Mr. BIDEN. Mr. President, the people of Kashmir are no strangers to hardship. Their beautiful, tragic land has been the arena of full-scale warfare between India and Pakistan, a long-running insurgency marked by exceptional brutality and penetration by terrorist groups in league with al-Qaida.

On October 8, the people of Kashmir suffered the most devastating blow yet: A massive earthquake killed about as many Kashmiris in just a few minutes as all the bullets and bombs of massed

armies were able to kill there over the previous half-century. And unless we act now, the casualty count will climb even higher.

At latest count, the quake's death toll is somewhere between 55,000 and 80,000. An estimated 3 million people are now homeless. As the survivors spend day after miserable day with little food or water, little medical care, little protection from the bitterly cold winter temperatures that have already hampered relief efforts, the number of the dead will certainly rise.

Residents of the Indian-administered portion of Kashmir were hit hard: 1,400 have died, a number greater than the death toll of Katrina. But the worst devastation has been felt in the area administered by Pakistan, which has borne the brunt of the disaster.

For Pakistan, the earthquake was at least 40 Katrinas, all rolled into one.

The capitol of Pakistani Kashmir has been largely destroyed. Relief efforts will cost billions of dollars, and repairs to the very most basic infrastructure will cost billions more.

American helicopter pilots and other military personnel have performed heroically in the rescue operation. The first 72 hours after a disaster of this magnitude are vital, since this is the window in which trapped survivors have a realistic chance of being brought out alive. As of last week, October 17, 442 U.S. personnel and 11 helicopters were involved in the effort, and the U.S. military had evacuated 2,500 survivors. I am proud of our service men and women, and I wholeheartedly support President Bush's decision to deploy our military assets to this mission of mercy.

I would like to see far more of our choppers devoted to this vital effort: With only 30 percent of the affected villages reachable by road, the single greatest need is for every utility helicopter that can be rushed to the scene; we've got Chinooks, Blackhawks, and other suitable craft right across the border in Afghanistan, and I hope the administration will immediately shift more of these assets to the short-term mission of saving lives.

I also support the President's pledge of financial aid for the reconstruction effort—indeed, I rise today to urge President Bush to send more aid. This is no time for half-measures.

If there is one thing we all should have learned from Katrina and the Southeast Asian tsunami, it is that an effective, rapid, well-funded response is necessary to prevent a terrible tragedy from spiraling into an uncontrolled disaster.

As of today, October 24, the total amount of earthquake aid committed by the administration has been about \$27 million. President Bush has pledged "up to" \$50 million, and Secretary Rice has hinted that the total figure might be higher than this, but so far—2 weeks after the tragedy—these are still vague abstractions. The costs for tsunami relief proved far higher than the initial

estimates—or the initial U.S. pledge. It is a safe bet that the needs for this tragedy will also prove much greater than initial estimates. It is far too early to cap our contribution.

The U.N. has sought \$312 million to meet immediate needs but has found the world community willing to pledge barely a quarter of this amount—and the White House's response has been to promise less than 4 percent of this modest sum, per USAID fact-sheet of 10/21: \$10.8 million to U.N. flash appeal. Mr. President, we need to do much more, to do it much faster—and we need the administration to start telling us some answers:

How much money will we actually spend? And where will it come from? Does the administration plan to shift funds from existing accounts for Pakistan, in which case the President's pledge would look like a bait-and-switch? Would the funds come from existing disaster accounts, in which case every dollar sent to Kashmir would potentially be a dollar taken from Darfur, Guatemala, or Niger?

With so many pressing needs here in the United States, some may ask why send any aid overseas. Let's take care of our own people, some may say, leave other nations to take care of themselves.

But this is a false choice. We can take care of our own people and fulfill our moral duty to our fellow human beings elsewhere in the world.

When we were struck by the tragedy of Katrina, 90 nations offered us assistance—including a pledge of \$1 million from Pakistan. Aiding the victims of the Kashmiri earthquake is the right thing to do, and it is also in our vital national interest. As we have seen in the aftermath of the Asian tsunami this year, disaster relief is one of the most effective—and cost-effective—tools in our diplomatic or political arsenal.

Other nations recognize the twinned moral and political need for generous humanitarian response. Some 30 countries have sent relief aid to Pakistan, countries including Russia, China, Japan, South Korea, France, Spain, Holland, Germany, Switzerland, Iran, Jordan, Syria and Afghanistan. Several, including Britain and Turkey, sent specialized search-and-rescue teams to pull survivors out of the rubble.

Others have already established mobile field hospitals that are saving hundreds—maybe thousands—of lives on a daily basis. Even Pakistan's longtime rival India sent planeloads of tents, medicine, and other supplies.

The U.S. has been generous, but so too have other countries. If the administration does indeed follow through on President Bush's \$50 million promise, that would be half the amount pledged by Kuwait, half the amount pledged by the United Arab Emirates. Last weekend, Saudi Arabia announced an aid package of \$133 million. We are not the