

Federal Government at the same time we have neighbors on the gulf coast who need help, and those who are unfortunate with their heating bills this year need help.

I want to have in the RECORD that both Senator STEVENS on the Defense appropriations bill and Senator COCHRAN I believe have done a fantastic job, and they have set a benchmark for where we need to go next year in terms of any new programs we need to be paying for by making reductions in other programs. What it is doing is securing the future for our children and our grandchildren.

My hat is off to them. I think they have done a great job. We have looked over the bill since last evening, since the numbers came through. We are very pleased. There are no gimmicks, no games being played with the numbers. Hard choices have been delineated in this bill which will require hard votes but for the right reasons. And for the next two generations, I thank them for their hard work on this bill.

With that, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### DEFENSE APPROPRIATIONS

Ms. STABENOW. Mr. President, I rise today to express great concern about the process, about what has been happening as it relates to the Defense appropriations bill. I have supported every appropriations bill for our troops since coming here to the Senate, and before in the House. I am deeply concerned about what I see in terms of abuse of the process, abuse of power involved in this debate on a bill that is critical for our troops, a bill that without the controversial provisions I believe would have overwhelming, positive, if not unanimous, support from this Chamber.

I want to start by reading a portion of a letter from five distinguished retired generals from the Marines, the Army, and the Navy, that speaks to this in a way that I think we should all be listening to. This is a letter to our leaders in the Senate:

We are very concerned that the FY2006 Defense Appropriations Bill may be further delayed by attaching a controversial non-defense legislative provision to the defense appropriations conference report.

We know that you share our overarching concern for the welfare and needs of our troops. With 160,000 troops fighting in Iraq, another 18,000 in Afghanistan, and tens of thousands more around the world defending this country, Congress must finish its work and provide them the resources they need to do their job.

We believe that any effort to attach controversial legislative language authorizing

drilling in the Arctic National Wildlife Refuge to the defense appropriations conference report will jeopardize Congress' ability to provide our troops and their families the resources they need in a timely fashion.

It goes on from there.

Mr. President, I would not agree more. I ask unanimous consent that the full text of this letter be printed in the RECORD.

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

DECEMBER 17, 2005.

Hon. BILL FRIST,  
Majority Leader,  
Hon. HARRY REID,  
Minority Leader,  
U.S. Senate, Washington, DC

DEAR SENATOR FRIST AND SENATOR REID: We are very concerned that the FY2006 Defense Appropriations Bill may be further delayed by attaching a controversial non-defense legislative provision to the defense appropriations conference report.

We know that you share our overarching concern for the welfare and needs of our troops. With 160,000 troops fighting in Iraq, another 18,000 in Afghanistan, and tens of thousands more around the world defending this country, Congress must finish its work and provide them the resources they need to do their job.

We believe that any effort to attach controversial legislative language authorizing drilling in the Arctic National Wildlife Refuge (ANWR) to the defense appropriations conference report will jeopardize Congress' ability to provide our troops and their families the resources they need in a timely fashion.

The passion and energy of the debate about drilling in ANWR is well known, and a testament to vibrant debate in our democracy. But it is not helpful to attach such a controversial non-defense legislative issue to a defense appropriations bill. It only invites delay for our troops as Congress debates an important but controversial non-defense issue on a vital bill providing critical funding for our nation's security.

We urge you to keep ANWR off the defense appropriations bill.

Sincerely,

JOSEPH P. HOAR,  
General, U.S. Marine Corps (Ret.).

ANTHONY C. ZINNI,  
General, U.S. Marine Corps (Ret.).

CLAUDIA J. KENNEDY,  
Lieutenant General, U.S. Army (Ret.).

LEE F. GUNN,  
Vice Admiral, U.S. Navy (Ret.).

STEPHEN A. CHENEY,  
Brigadier General, U.S. Marine Corps (Ret.).

Ms. STABENOW. Now is the time—past time. There is no reason for us to be here today on this Defense bill. This could have been done. We could have made it very clear that the dollars are there—critical dollars are there—for our troops, if it were not for an effort to subvert the process and the rules of the Senate and the efforts that have gone on to put things into this Defense bill that should not be there.

Now, I am one who does not support drilling in ANWR. I have never voted for that. There is no relationship, in my mind, to energy independence or national security, as we look at the small amount of reserves that are there versus the tradeoff in terms of our environment and the commitment we have made as it relates to our envi-

ronment. But regardless of that, that deserves a separate debate. We have had that debate on the floor of this Senate. We have had it a number of times.

People have a right to have that debate and to be able to cast their votes concerning that issue, but it should not be included in a bill to support our troops, the men and women who are serving right now around the world. They deserve better than that. We can do better than that. I would hope we could clean up this bill, get those provisions out of there that have been put in for political purposes because they have not been able to pass in other ways, and be able to strictly focus on a bill to support our men and women in the armed services.

What are some of the things in this underlying bill?

Well, it provides a 3.1-percent across-the-board pay raise for military personnel. I support that. I am sure my colleagues on both sides of the aisle do, as well.

It provides an increase for basic housing allowance to eliminate out-of-pocket housing expenses for military personnel. It is critical.

It provides \$142 million for body armor and personal protection equipment. How many times have we heard concerns regarding this? This \$142 million is important. It needs to get passed now. It should not be part of a political struggle that has been going on in the Senate, in the House, and with the administration.

The bill would provide \$12 million to provide treatment for soldiers with head and blast injuries who are returning from Iraq and Afghanistan.

Again, on the equipment end, it would provide \$1.4 billion for the Joint Improvised Explosive Device Task Force.

It provides \$170 million for up-armed HMMWVs and another \$464 million for humvee recapitalization.

It provides \$293 million for Army night vision equipment.

It provides \$1 billion to address equipment shortfalls for the Guard and Reserve. I can tell you, having talked with so many of our Guard and reservists, and having been there when they have left and been there when they have come home, we owe them a budget that will address the equipment shortfalls.

We also owe them efforts to support their families and the needs of their families as they have been deployed and redeployed and redeployed into Iraq and Afghanistan and around the world.

We are past time to get this done. There is no reason we should see the maneuvers going on that have gotten in the way of passing this bill.

There is no reason. I hope they do not succeed. These maneuvers should not succeed. I hope we will say no and that we will then pass quickly the bill that has been worked on in good faith by so many.

Let me give an example of another piece of legislation where this was done. I commend both the distinguished Senator from Virginia and my colleague, the distinguished Senator from Michigan, Senators WARNER and LEVIN, who worked through a complicated Defense reauthorization bill. There were a lot of similar kinds of issues of extraneous measures being placed into that bill, but they worked through it. They kept their eye on the primary goal, which was to provide support for our men and women who are serving us, who are placed in harm's way, who are fighting terrorism, who are fighting to protect our families and our country, keep the focus on them, which they did. They have been able to produce a bill that is for the troops, for the Department of Defense, for the defense of our country, without extraneous measures in the legislation. I commend both of them for their leadership. It is an example time and again of what these two distinguished Senators have been able to do because they kept their focus where it should be—on the defense of our country and the support of those who are defending us around the globe.

Compare that to what is in front of us today. Again, these measures are worth debating. The other issues that were put into the Defense bill deserve debate, have had debate on the floor of the Senate. They deserve that debate. They deserve up-or-down votes. But to take the excellent work that has been done on the Defense appropriations bill and put these together is plain wrong. I hope we will be successful in separating these issues so that those of us who strongly support this appropriations bill, who strongly support our troops, will have an opportunity to, again, hopefully, vote yes unanimously, without the debate on other issues such as drilling in ANWR where many of us are strongly in opposition to that issue and others that were placed in this bill.

This is an opportunity for us to stand together, as we have done, as we will do on Defense reauthorization, as we have done so many times in the Senate, standing up on a bipartisan basis for our troops. I hope we will be able to do so again at the end of the day when this bill finally comes before us. I am hopeful that my colleagues will join with me in separating the controversial provisions unrelated to defense from this bill and give us the opportunity to support our men and women in the manner which they deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from Michigan has asked a great question: Why are we here? And why is this bill before us? We are here primarily because, as I went through the process of trying to get the Arctic national wildlife area, the coastal plain open for exploration and development as was promised in 1980, I ran across a

lot of things that were involved in this process this year that I, incidentally, support.

I support LIHEAP. There is no question that there is a demand, because of the increase in the price of energy, for assistance to those people who have to pay more for their heating oil. We tried to deal with that in connection with the reconciliation act, and there was a billion dollars in that bill for that program. We face a demand from the people who believe in it, as I do, that that be increased.

The provisions of ANWR in this bill, as we go into the process of trying to assist people who need assistance, will provide for \$2 billion for LIHEAP. That is \$2 billion in 2006 in terms of appropriation of moneys now. These funds will be allocated based on emergency needs. That emergency will be repaid by funds generated from this amendment. Those funds we hope will be generated in 2008.

Many people oppose declaring emergency after emergency. I agree with that. I think the greatest increase in our budget now is interest on the national debt once again. We have to stop that increase because as it increases, it squeezes out programs such as LIHEAP. But we put in here a provision to go ahead and help people in 2006 but repay it when the moneys come from ANWR.

If you don't want to vote for ANWR, you are not going to get money for 2006 for LIHEAP. People say that is bad. That is the only place they could find the money. That is a program I support very much. When you look at these other areas, I will be coming back time and again to say to people: OK, you oppose ANWR, but where are you going to get the money to do some of the things we want?

We have to stop exporting our money for oil. Every time we buy a barrel of oil from offshore, we export jobs. We export money. We can't get it back unless we reduce the value of our exports in order to try to balance our payments.

I do believe we have a lot of problems. I will be discussing them today. But it is a good question: Why are we here? We are here because the Senate passed ANWR in the reconciliation process. The House passed the bill as a legislative item. The House insisted that we try to find a way to pass the ANWR provision in the Senate without putting it in the reconciliation bill. A bipartisan plea came to me from the House to put the ANWR provision on the Defense appropriations bill. I had said before: You don't want to do that. We have it in reconciliation. Why did we put it in the reconciliation bill? Because there has been a filibuster. We are not talking about a fair vote; we are talking about an assumption by opponents of this that we must have a filibuster every time we try to find some way to increase our domestic production of oil and gas.

This is an area that is known as containing the largest single structure on

the North American Continent from which oil and gas can be produced. We want to find a way to bring into production the oil from that vast area. A well was drilled there, and it was what we call a tight hole. It was agreed at the time it was drilled that the information from that drilling would only be provided to the Department of Interior and to the companies that drilled it, but it must be sealed. No one has ever published the results of that well. But the area has been drilled.

I will say to the Chair that not one of the companies that participated in funding that well ever was discouraged from seeking the leasing at ANWR. So while they can't publish that it was good, their actions over 25 years demonstrate that it was good. The question is, Should we produce it? If we produce it, revenue from the bonus bids to get the leases will be used to repay what we spend in 2006 for LIHEAP. This program is to provide low-income heating assistance. This is a very legitimate way to get money for the home energy assistance program that is needed right now.

Another thing that is tied into these funds is emergency preparedness. Another thing is equipment for first responders. Again, the funds there come from spectrum sales.

Mr. President, the budget estimated \$10 billion for spectrum sales. The FCC says it will be \$28 billion. I conferred with the Congressional Budget Office and said: Look, you have estimated \$10 billion, and the FCC says \$28 billion. I am going to assume it is going to be at least \$20 billion.

They said: If you make that assumption, what you are doing in terms of spending in the bill, we cannot validate that because we deal with total predictability. You deal with probability when you look at that second \$10 billion.

I was the author of spectrum originally. Before that, spectrum was available through the FCC when it was released by one company. There was a lottery to see who got the right to have it. They literally drew from a hat. Whoever got that draw out of the hat got a piece of paper that entitled them to a license from the FCC worth millions and sometimes billions.

I say: Why do that? Why don't you have an auction for that? When I was in the Department of the Interior, we used to do the same thing with leases on Federal lands. I convinced them at that time to find a way to auction those off. That is why we have the auction for the leasing of ANWR. We will get revenues from auction, and the estimated revenue by OMB and CBO is \$2.5 billion. We know it is going to be at least \$18 billion. All we are assuming is there is an additional \$2.5 billion involved. As it comes into the Treasury, it is earmarked to pay back these emergencies we have declared. I think that is legitimate and a way to be fiscally responsible—only if we lease ANWR.

Those who want to take ANWR out of the bill are taking out funding for the things that flow from it and flow from an additional assumption that the receipts from spectrum are going to be more than estimated by CBO. I am going to be back again and again.

We have been involved in this debate for a long time. Every time I come here I remember my departed friends, Senators Jackson and Tongass. As an old friend of mine says, I get "puddled up" a little. They were on the other side of the aisle, but we worked for the common good and we got a commitment that 1½ million acres of Alaska would remain open for oil and gas development. As they took the Carter bill through the Senate that withdrew 105 million acres of my State's land—my State has 365 million acres. This 105 million acres is roughly the size of California. All of that is not open for oil and gas development. It is not open for hardly anything. We have national parks, wildlife refuge, wilderness areas, and a whole series of classified types of programs where the public land laws don't apply.

But the one area where the Mineral Leasing Act law still applies subject to an act of Congress to proceed is the 1½ million acres on the Arctic Plain. There is unquestioned money coming in from this auction, Mr. President. It will be big. Our oil industry is now developing throughout the world. The great, dynamic, young President of ConocoPhillips is in Moscow negotiating with the Russians today to get Russian oil for the United States. In 1980, we could not have even dreamed that we would have a chief executive officer of an American oil company in Moscow negotiating to get oil from Russia. We had just come through the embargoes of the 1970s, when the imports into the United States of oil from Arab countries was barred by an embargo.

We are at the point now where we are dependent upon foreign oil for almost 60 percent of our total needs for petroleum. What we are saying is why don't we do what we know should be done? Congress passed this bill in 1995. Both Houses voted for it. It was an amendment that went to President Clinton, and he vetoed the bill.

Mr. President, I believe we have a real problem in terms of our domestic production. Let me say this. Production from Prudhoe Bay, the area that brought in the great amount of production for the United States, averaged 1.6 million barrels a day in 1988, and it was down to 381,000 barrels this year. That pipeline is designed to carry 2.1 million barrels a day, and it did for a little while. It is down to 381,000 barrels. North Slope production has dropped from 2.1 million barrels a day to 916,000 barrels a day. The production is expected to drop even further during this period ahead of us.

The way to fill that pipeline back up is to complete exploration and development of that part of the Arctic Plain

left open for development by my friends, Senators Jackson and Tongass after a long period of debate. I do believe there is a lot to be said about this bill. In 2004, our trade deficit was \$651.52 billion; 25 percent of that, one-quarter—really 25.5—came from the importation of oil. People talk about our trade deficit. That is \$166 billion in 2004. The reason we continue to be importing more oil is because we are producing less at home. We have doubled our energy imports since 1999. We have an insatiable demand for energy.

I agree that we should develop alternative sources, but meanwhile we have to meet the demand, which is enormous. We are importing now, in September of this year, 9 million barrels a day, at an average cost of \$55 per barrel. We spent \$495 million a day—almost a half billion dollars a day is going out of the country to buy oil. For every barrel of oil we import, we send that \$55 abroad. If that \$55 was spent in the United States, changing hands several times in our economy, as the people who work and develop and produce that oil pay for goods and services, it would generate tax revenue. One of the reasons our tax revenue is not going up as predicted is we are importing more oil.

For every \$1 billion we spend to develop domestic resources, we create 12,500 jobs. That means in 2003 we lost over 1.3 million jobs by importing oil rather than producing it here. The public lands of the United States have been closed to oil and gas exploration. This area left open to oil and gas exploration in Alaska has been denied access for the oil and gas industry. We have had a 75-percent increase in the price of gasoline during this period. Why? The total cost of oil is now determined by foreign producers, not by competition with domestic producers.

By developing the resources on the coastal plain, we could create between 700,000 and a million American jobs, and we would put \$60 million back into the U.S. economy every day that we produce and send that oil south in the oil pipeline.

I do believe there is every reason to be here today. There is every reason to say let's vote; let's vote on the conference report. That conference report ought to be approved. It has money for Defense and for Katrina, in terms of the disaster area; it has the money for the avian flu, and particularly the liability provisions that are necessary to make that work.

Mr. President, I think we should think twice about this and people saying something is wrong here. We have repeatedly at times in the past challenged the ruling of the Chair. We did it really in terms of very controversial subjects in terms of the FedEx bill and in terms of the aviation bill in 1996. We are not trying to do something that has never been done. I have heard some Senators accuse me of breaking the rules. I am here because of the rules, Mr. President. I am here because we

are using the rules to try to achieve the passage of this very vital measure for our national defense because it has been filibustered. We did pass it in connection with the Reconciliation Act this year, and I believe we ought to recognize that there is no question about our need to develop and produce in this area.

I don't want to keep going. I could go all month about ANWR. I have been dealing with it for 25 years. I don't even need any notes to keep going for a day. The point is if anybody else wants to speak, I will be glad to yield to them.

This is a very vital subject, as far as I am concerned. The necessity for it is linked to national defense, there is no question about it.

This bill contains \$446.7 billion for the Department of Defense. It includes \$50 billion to sustain contingency operations for Iraq and Afghanistan. It has a 3.1 percent across-the-board pay raise for military personnel.

My colleague and I, my great friend and cochairman from Hawaii, Senator INOUE, managed this bill. There is no question we did our best within the amount of money allowed to take care of the essential needs for the Department of Defense. Without this bill, the Department of Defense has to continue to defer spending, freeze contracts, postpone repair projects, and delay hiring. It is currently operating under a continuing resolution. I opposed a continuing resolution. I said, no, let's pass this bill, in July. I said when we came back in September, let's pass this bill.

It has been delayed. Why? Because of so many demands on the Congress coming out of Hurricanes Katrina, Rita, and Wilma. We have been immersed in trying to solve the problems that came out of those monstrous disasters.

I do believe that if the Senate votes not to take this conference report, we will need a new conference. We will have to appoint new conferees, and the process will start from the beginning. The important thing is, unless ANWR is back in there, there is not money for LIHEAP, there is not money for first responders, there is not money for interoperability, there is not the money for the various items we have been able to find ways to pay for because of the development of ANWR.

I predict we can quickly get at it if we have to, as I said, but if we vote to do it, and we can vote today—we can vote for both this and the reconciliation process today—this bill could be on the President's desk tonight. It is right there. It is on the desk. It can be voted on. We are ready to vote. The reason we sat through last night was they would not let us vote.

I do think we should understand that the failure to vote on this bill is a failure to respond to the needs of the country. My staff and I have worked many days on this. We have worked long hours, as I told my group at home. We have burned the midnight oil on this one. We examined the needs when I

went down to New Orleans with our Commerce Committee. We examined the needs in hearings of our Department of Defense Subcommittee. We examined the needs in terms of the Commerce Committee. Senator INOUE and I heard about the needs of first responders and the need for interoperability equipment for them. This bill gives it to them. It responds to their needs.

It doesn't pay all of them right away, but it says: Look, you can get the money you need to start this, but as the money starts coming in from ANWR and spectrum, you will be able to proceed with the programs you need to have funded.

This is a serious issue. Our national security depends upon a reliable supply of oil that is not subject to the whims of a foreign country or adversaries.

The fuel used by the Department of Defense is delivered today primarily through the Trans-Alaska pipeline system, and much of it is refined in our State right now. Jet fuel in our State used by the Department of Defense includes 52 million gallons per year at Elmendorf and other places, 21 million gallons per year in Eielson, 3.5 million gallons of JP5 used by the Coast Guard. A total of 76.5 million gallons a year comes from current production of oil in Alaska.

The Alaska pipeline amendment, as I said before, was not filibustered because there was complete agreement in the Senate. Not one person suggested that pipeline amendment should be delayed. It was a close vote. The Vice President broke the tie on the Trans-Alaska pipeline. No one realizes it, but at the time, it was predicted there was to be 1 billion barrels of oil produced from that area. We have produced 14 billion barrels already.

Overall the Department of Defense uses 4.62 billion gallons of oil a year. In Iraq alone, the total amount predicted to be consumed per year is 5.76 billion gallons. And yet we are almost totally dependent now on foreign sources. It is not right.

Let me quote from my good friend Senator Jackson, then chairman of the Energy Committee, when he addressed the Senate on the pipeline. Senator Jackson said:

The pipeline involves a national security issue. There is no serious question today that it is urgently needed in the national interest to start the North Slope oil flowing to markets.

That is the Democratic Senator from Washington, chairman of the Energy Committee at the time.

People today challenge my statement that oil is a national security issue. He said that at the time of the debate on the oil pipeline amendment in 1973. He said, I repeat:

This involves a national security issue. There is no serious question today that it is urgently needed in the national interest to start North Slope oil flowing to markets.

This area known as ANWR is the balance of the North Slope production

area, and it should be available for production.

I have a lot of other issues to mention. At the very least, we ought to compare our situation. In 1973, when the oil embargo took place, we imported one-third of our oil, our petroleum. Now we import 60 percent. Without ANWR, by 2025, we will import 70 percent of our oil. We will be more than two-thirds dependent upon foreign sources for oil.

What will we do in times of need? I remember those lines in the seventies. Some of us remember them well. I remember rationing in World War II. Are we going to go to a system of rationing? Our foreign imports are not that secure, no matter what anybody says.

Senator HUTCHISON is on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise today to speak in favor of the Defense appropriations bill, in favor of Katrina and Rita supplemental help. This is such an important piece of legislation. This is a bill that has already passed the House. It only lacks Senate approval to go to the President and give the Defense Department the appropriations it needs to do the job we are asking them to do. It will also help the people on the gulf coast who have been waiting for the signal that they will have some relief.

I start by talking about the defense part of this bill and say that it would be unthinkable not to pass the Defense appropriations that we must have to stay in an orderly way, going into the next year, with the priorities we have set for this fiscal year. Continuing resolutions are last year's priorities. So it is essential for Congress to act.

I have heard some on the floor say: ANWR is a big surprise. ANWR is hiding the ball. Putting ANWR in this bill is somehow thwarting the will of the Senate. The opposite is true. The Senate has voted in favor of ANWR. The House and the Senate have voted in favor of ANWR.

If we were putting something in a conference report that had never passed the Senate, that would be one thing. ANWR has been adopted by the Senate. Those who would hold up this bill are thwarting the will of the majority. I do believe we have a national security issue and an economic viability issue for our country if we put our heads in the sand and say, well, we know there is a shortage of energy, we know the price of gasoline has gone up almost a dollar—it went up almost \$2 after the hurricanes hit for a short period of time, but thanks to the leadership of the President, who took very swift action opening the reserves, we were able to bring the price back down, but we know there is an energy shortage in the world. We know there are various reasons for that because there are more consumers now, because the economies of China and India and other places are now using more energy.

So if we are a country that is looking out toward the future, if we are a country that is going to make sure we have economic viability, we must take the steps to assure that we have energy supplies from our own resources in order to meet this challenge, and that means that we look for new sources of energy. It means we do research for renewable sources of energy. It means we highlight conservation and give tax credits for all of these items that would add to our energy stability, and yes, it also means we provide more opportunity to drill for the basic energy providers for our country, and that is oil and gas.

For some of those whom I have heard debating, to say, Oh, yes, we have an energy crisis in this country, but we should not drill on the east coast and we should not drill on the west coast and now we should not drill within 200 miles of Florida and we should not open up ANWR, is irresponsible. We should be looking to open up our own resources so that we are not dependent on foreign countries for our energy needs, and we should do it by opening up ANWR, which is the largest domestic resource we have. Approval for this has been passed by a majority of the Senate and a majority of the House time and time again. The will of the majority is being thwarted again, because we are looking to the future.

Let us take another argument that could be made. Maybe the people who live around ANWR or in whose State ANWR is do not want it. Are we forcing something on them by allowing this drilling? Oh, no. The people of Alaska have said time and time again they do want to drill in ANWR. They want to drill in ANWR because they know it will be done in an environmentally safe way. They know that the area which would be drilled is an area about the size of Washington National Airport in ANWR, which is an area the size of the State of South Carolina. The people of Alaska know that. They know it will not hurt the environment of their own State. They know it will provide jobs for their people. They know it will provide quality education for their children and small business opportunities for the people who live there and would come there to add to the economy of Alaska. So the people of Alaska who would feel the direct impact of drilling in this very small area want ANWR to be drilled because they know what it will do for the economy of their home State of Alaska. So we have the capability to drill in a very small area.

By the way, it is grassland. There are no trees in this part of ANWR. Sometimes I see the pictures on television against drilling in ANWR, and it looks like a pristine forest. There are no trees in this area. It is a grassland. In fact, there will be drilling when everything is iced over anyway. The roads will be ice roads that will melt in the summer, when there will not be drilling, so there will be no footprint. So I cannot think of anything more environmentally safe, and I think it is very

important for the future of the economy of Alaska and more importantly for the future security of our country because economic security is national security.

Can one imagine an economic downturn when we have had so many crises in our country in the last 5 years, starting with 9/11, a war on terror, an insurgency in Iraq, Afghanistan, which is on its way to self-governance, and then there is Katrina and Rita, a tsunami and an earthquake in Pakistan, and we are trying to help all of the people affected by these tragedies? An economic downturn—it would be irresponsible for us to allow it to happen if we have any control, and ANWR is part of establishing our economic security by assuring that we will have energy no matter what else happens, whether it is a hurricane or whether it is a foreign country that provides a good source for us of oil and gas that all of a sudden says: Well, we are not going to provide that anymore, or if we do, it is going to be at such a price that it will affect your economy.

We are over 50 percent dependent on foreign sources for our energy needs today in America, and that is not a sign of the strongest Nation on Earth. So to say that ANWR is a surprise is wrong. To say that it has blind-sided the minority in this body is wrong. The Senate has passed ANWR before. We have passed it this year, and it is time that we get this bill to the President.

In the supplemental appropriations for the victims of Katrina and Rita, it is so important that we have accomplished the first real help that goes not only directly to the people but also to begin the infrastructure improvements where the gulf coast has been ravaged. One of the things I have tried to do in this bill is to ensure that where the evacuees have gone, the money will also go. This is hurricane assistance like we have never seen before.

In a normal hurricane, there are maybe 2 or 3 months of significant displacement, and there is a lot of cleanup and a lot of rebuilding, but most people are back in their area after a few weeks. Katrina so devastated Louisiana and Mississippi that people have had to flee with absolutely nothing, and they have had to stay in other States, get jobs if they can, get housing where they can, and educate their children. So that has meant that States such as Texas, Arkansas, Oklahoma, Georgia, and Tennessee have paid a large part of the expense of the taking care of the people displaced by this hurricane, rather than the burden being on those States actually hit by the hurricane.

So we have had to rethink the model for how to provide this assistance and how we meet the needs of today. My home State of Texas, I think it is well known, has taken in the range of 400,000 evacuees. We have in the range of more than 40,000 in our school systems. We have had almost no reimbursement for the education of these

children. We have had to repair schools that were closed so they can reopen. We have had to add temporary facilities. We have had to hire teachers and also try to welcome these children in so they would be able to function in the classroom. This has taken huge resources, tens of millions of dollars from our State.

I passed a bill in September that would have allowed the per-pupil cost of educating these students to be reimbursed, which would have especially helped these States which have taken large numbers. Texas has taken the most, but other States, relative to their populations, are in much the same situation. These are hits on education systems that they cannot absorb. Yet the bill I passed in the Senate in September never passed the House. Finally, last night, in this supplemental appropriations bill we have addressed the needs of these children in the way I had asked in September that they be helped. We are giving the help to these school systems that have taken in these children.

Our school districts and our States have been footing the bill for these added education expenses since the children came over—in desolation, frankly—right after that level-5 hurricane hit the gulf coast of America.

To think this bill would be held up because there are people on the other side who want to thwart the majority that has passed ANWR and would hold up our Defense Appropriations bill and our supplemental appropriation for the victims of Katrina and Rita. I hope those who would thwart this bill would reconsider.

In this bill, we have money for the education of the students, which has been a priority for me. It also includes money for repairs and dredging of waterways in the hurricane-affected States; plus, of course, money to start rebuilding the levees in New Orleans; grants for the Department of Labor for displaced workers; social services block grants; Head Start money for children displaced by the hurricanes; community development block grants in the hurricane-affected States, which includes Texas. Texas has spent just about all of its community development block grant money, much of it for hurricane assistance, so we will look forward to replenishing some of that which was needed before the hurricane. It has money for highway, road, and bridge repairs, and for State and local law enforcement assistance. I can tell you, having toured in Houston, Austin, and Dallas, the convention centers where evacuees were being held, there was a lot of overtime money for the law enforcement personnel, and that needs to be reimbursed because those police departments and sheriffs departments are not able to absorb that. There is money from the Small Business Administration for disaster loans and money for manufacturing extension centers.

There is an offset for all of this added money because there are many people

in our country who believe that spending more money and adding to our deficit is not the responsible thing to do. So there is a 1-percent across-the-board cut in discretionary spending. Veterans are exempt from this. Obviously exempt from this would be salaries of our military and civilian personnel. There will be no cuts in veterans health care. That is something I talked to Senator COCHRAN about on Sunday, to make sure we did not cut into the veterans health benefits, because we had just put in an added \$1.2 billion because there were more calls on the veterans health care programs. I certainly didn't want to get into a hole in that department.

We have offset this supplemental expenditure with an across-the-board cut in the discretionary spending and other areas so we do not add to the deficit.

In addition, in this conference report, we have ensured that avian flu vaccines will be available in this country. Again, we are looking out for something that we see happening in another part of the world and are trying to protect our citizens if somehow avian flu does come to our shores.

The LIHEAP money we have passed on this floor has an added amount of \$2 billion for home heating assistance. That is very important in certain places in our country where heating assistance is needed. We all know the cost of energy is going to be very high this winter.

There are border security improvements. I come from a State that is very concerned about the security of our borders. I went with the majority leader just 2 months ago on a helicopter tour of the border, where we saw the footprints that were very fresh in the fields in Mexico, that walk right into the Rio Grande River, knowing those were illegal aliens who had just come into our country. We went to one of the border stations where we saw illegal aliens being processed. They were not from Mexico, they were from other countries. So the funds for increased border security are in this bill. This is something that is important to the security of our country.

I hope we will be able to pass this bill without being thwarted by the minority. We will have more than a majority if we are forced to cloture. I do not know if we will have 60 votes, but it will be the majority of the Senate speaking on these important issues: the Department of Defense appropriations and the Katrina and Rita supplemental appropriation which will get people the help they need in important areas such as education, debris cleanup, medical treatment, and reimbursement. It has provided for other areas of emergency needs such as the avian flu vaccine, LIHEAP assistance, border security improvements—things that we have worked on all year in the Senate and which have the support of a majority of this body.

This is not the time to be held up on procedural motions that would require

60 votes when the majority should be able to go forward on policies that have been set in the Senate all year. The Senate has passed ANWR. The Senate has passed Katrina- and Rita-related supplemental appropriations. The Senate always passes the Department of Defense appropriations. It would be unthinkable not to be able to do that before we leave for the year, to fulfill our responsibility. I hope we can come together at a time when we should show our country this unity.

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

The PRESIDING OFFICER (Mr. COBURN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, I ask unanimous consent to speak in morning business for not to exceed 15 minutes.

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

The Senator from Maine is recognized.

The remarks of Ms. COLLINS pertaining to the introduction of S. 2145 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The minority leader.

#### USA PATRIOT ACT

Mr. REID. Mr. President, the issue before this body in the waning days and hours of this first session of the Congress is whether the PATRIOT Act should be extended.

Why are people concerned about the PATRIOT Act? Let me read an interview that took place, which is a condensation of a long story that appeared in the Washington Post about Las Vegas, NV. Barton Gellman was the writer of the article, and here is what he said:

At the end of 2003 there was an . . . alert. One of the reasons was a fragmentary report. . . . [At the end of 2003] they tried [the Federal Government] for the first time ever to create an instant real-time moving census of every tourist and visitor in the city during its most visited period of the year.

Forty-four million, 50 million people come to Las Vegas every year.

Continuing the statement of Mr. Gellman:

They sifted through about a million people who were considered potential suspects to see if they could find any match with any other indicator in their big database of the terrorist universe. So they used grand jury subpoenas, they used national security letters and they got every hotel guest, every air passenger, every person who rented a car or a truck or a storage space, and they made a giant database out of that and started sifting [through] it.

In the parlance of the intelligence community, the whole thing washed out. They had

no suspects. There was no attack. They had an undeniably important motivation here, but one of the prices that the country has paid for that is that on the order of a million people are now in government databases and are staying there. So if you got a Las Vegas hotel room and maybe if you were there with someone you ought not to have been there with, what happened in Las Vegas did not stay in Las Vegas.

The question was asked:

How can it be that four years into the Patriot Act the national security letters have not been challenged in court as, you know, a blatant intrusion of privacy?

Mr. Gellman continues:

Well, there have recently been two court cases. We know of only two cases ever in which they were challenged. The plaintiffs are not officially known to the public. I discovered one of them. In the Connecticut library case that was the lead of my story, the librarian who received a national security letter was afraid to call a lawyer because the letter said that he shall not disclose to any person that he'd received it. But the reason there hasn't been much public debate until now is because no one had any idea what scale they were being used on. And crucially, people did not know, even in Congress, that the great majority of these letters asked for information about ordinary Americans and U.S. visitors who are not suspected of any wrongdoing.

We do not know the exact number of these letters. And "letters" is a word that is not appropriate. These "demands." We know there are 30,000. Could be more, may be less, but tens of thousands of Americans, just like what happened New Year's Eve in Las Vegas. That is why people are concerned, on a bipartisan basis, about the PATRIOT Act.

The President and the Republican leadership should stop playing politics with the PATRIOT Act. They should join the bipartisan group of Senators who agree the Government can fight terrorists and protect the privacy and freedom of innocent Americans.

Americans want both liberty and security. These two terms are not contradictory. We do not have to sacrifice our basic liberties in the course of strengthening national security.

Democrats voted to support the PATRIOT Act. We voted for the original act in 2001. It passed with all but one Democratic vote. We voted unanimously for an extension of the bill in July of this year. Virtually every Senate Democrat has cosponsored Senator SUNUNU's—a Republican—bill to extend the act for 3 months while negotiations on a longer term extension continue.

We support the act, but we want to improve it. That is what this is all about.

Now, the President in his press conference today, of course, directed his attention to me, among others. The President, I think, talked about trust and credibility. So I am willing to take that at face value: trust and credibility. I think it should be based on liberty and security, but he wants to do it on trust and credibility.

Let's take a look at this. On 9/11, we had a terrible calamity in this country.

We responded quickly and passed the PATRIOT Act. We were wise, though, in setting certain sunsets; that is, if they were not renewed, they would expire. We did that. That was the right thing to do.

We are now back, and the time has come to look at how the PATRIOT Act has worked. I read to the Senate what has happened with New Year's Eve in Las Vegas.

Trust and credibility: The President told us there were weapons of mass destruction in Iraq, that there were secret meetings in Europe, al-Qaida training in Iraq. The Secretary of State still talks about the aluminum tubes. She talked about them then—yellowcake, things that were supposedly there so they could develop these weapons of mass destruction.

Every one of these the administration either knew or should have known was absolutely not true. We were told that we would invade Iraq, and as we proceeded up these boulevards, they would be throwing bouquets. Well, there are 2,200 dead Americans, 17,000 wounded Americans, a third of them grievously wounded, missing arms and legs and blind and head injuries, costing the American people \$2 billion a week.

Ronald Reagan said: Trust but verify. And that is what this is all about, verifying what has gone on in the last 4 years with this PATRIOT Act.

I supported the first PATRIOT Act. I do not regret my vote. I supported the bill that came out of the Senate Judiciary Committee unanimously. I supported the bill that came out of the Senate unanimously. But I, with other Senators, believe the PATRIOT Act as presently designed is not good for America.

Mr. DURBIN. Will the Senator yield for a question?

Mr. REID. I am happy to yield.

Mr. DURBIN. Is the Senator from Nevada aware of the fact that the President said today, at his press conference:

In a war on terror, we cannot afford to be without this law [the PATRIOT Act] for a single moment.

I ask the Senator from Nevada: Did the Senator from Nevada not ask unanimous consent to extend the PATRIOT Act as written for 3 months, and is it not true that when you made that request a few days ago, the Republican leader of the Senate objected to extending the PATRIOT Act for 3 months, after the revision of the law was held up here on the Senate floor?

Mr. REID. Mr. President, I asked unanimous consent that a bipartisan piece of legislation extending this bill for 3 months be made operative. It was objected to by the Republican leader.

The President wants to talk about trust and credibility. I think we need to look at that statement: Not for a single minute, not for a single hour should the PATRIOT Act not be in effect. Well, the burden of it not being in effect is solely on the shoulders of the