

Kyl	Murray	Shelby
Landrieu	Nelson (FL)	Smith
Lautenberg	Nelson (NE)	Snowe
Leahy	Obama	Specter
Levin	Pryor	Stabenow
Lieberman	Reed	Stevens
Lincoln	Reid	Sununu
Lott	Roberts	Talent
Lugar	Rockefeller	Thomas
Martinez	Salazar	Thune
McCain	Santorum	Vitter
McConnell	Sarbanes	Voinovich
Mikulski	Schumer	Warner
Murkowski	Sessions	Wyden

NOT VOTING—1

Inouye

The bill (H.R. 1268), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

The title was amended so as to read: "An Act Making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, and for other purposes."

Mr. COCHRAN. I move to reconsider the vote by which the bill was passed.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints Mr. COCHRAN, Mr. STEVENS, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. McCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CRAIG, Mrs. HUTCHISON, Mr. DEWINE, Mr. BROWNBACK, Mr. ALLARD, Mr. BYRD, Mr. INOUYE, Mr. LEAHY, Mr. HARKIN, Ms. MIKULSKI, Mr. REID of Nevada, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, and Ms. LANDRIEU conferees on the part of the Senate.

Mr. COCHRAN. Madam President, I thank all Senators for their cooperation in the passage of this bill. There were a lot of amendments offered, and we agreed to some of them. Some of them were adopted. We are going to conference with the House now to work out differences between the two bills. I am confident we will be able to come back with a product in the form of a conference report which the Senate can support, which will continue to support the additional funding that is needed for this fiscal year for our troops in the field, for those who are deployed in Iraq and Afghanistan and elsewhere in the world in the war on terror, and will meet the needs of our State Department through replenishment of accounts that have been depleted because of the disaster in the tsunami episode and for other needs the Senate and House have seen fit to include in this appropriations bill.

As my first bill to manager on the floor of the Senate as chairman of the Appropriations Committee, I have to give great credit to the assistance I received personally from staff members here in the Senate, other Senators as well who are more experienced and who chaired important subcommittees in

the past and this full committee, as a matter of fact.

Specifically, I am thinking about Senator BYRD, the distinguished Senator from West Virginia, who has served as chairman of this committee and ranking member of the committee; Senator STEVENS, who is chairman of the Defense Appropriations Subcommittee; Senator INOUYE, who is the senior Democrat on that subcommittee, both of whom helped shape the content of this bill in areas under the jurisdiction of their subcommittee; and the staff director, Keith Kennedy, who is back from a leave of absence he had doing other things for the last several years but who, as a former staff director of this committee, provided strong leadership for our staff and gave me tremendous support which I needed to get this bill to this point. I am very grateful to him for his support and those who worked closely with him, like Terry Sauvain on the Democratic side; Sid Ashworth, who is the clerk of the Defense Appropriations Subcommittee, and her counterpart on the Democratic side, Charlie Houy; Paul Grove; Tim Rieser; Clayton Heil, who is counsel to the committee; and Chuck Kieffer, all of whom provided very important and appreciated support to me during the handling of this legislation.

Mr. BYRD. Mr. President, as we bring to a close the debate on the emergency supplemental, H.R. 1268, I thank my good friend from the State of Mississippi, the chairman of the Appropriations Committee, THAD COCHRAN. Senator COCHRAN was recently installed as the new Chairman of the Appropriations Committee, and, although he has managed numerous bills on the floor in the past, this is the first appropriations bill that he has managed as the chairman of the Appropriations Committee. I compliment Senator COCHRAN for a job well done, and I especially thank him for his patience. In fact, all of the Members should thank him for his patience. We have been on this bill for the better part of 2 weeks, and we have given consideration to many, many amendments. Throughout all of these many days of debate on the underlying bill and on the numerous amendments offered by both sides, Senator COCHRAN has kept a level head, and he has shown patience in seeing that this supplemental is processed in an orderly manner and that no Member is denied an opportunity to have input on this bill.

I also join with Senator COCHRAN in expressing gratitude to the staff members on both sides of the aisle who helped us with processing this bill and all those amendments. They worked late into the evening hours on some of these matters, and I appreciate not only their hard work but also their unstinting dedication to this institution.

Mr. President, this is only one in a series of supplemental requests that have come from the administration asking the Congress to appropriate

more funds for the wars in Iraq and Afghanistan and for reconstruction efforts in those countries. With approval of this supplemental, we will have approved over \$280 billion for the two wars through emergency supplemental bills. We should not continue to fund these wars in this way. This is not the chairman's fault. He can only respond to the administration's proposals. It is evident that many of my colleagues are in agreement that funding for war activities should be processed in regular annual appropriations measures, not through emergency supplementals. This was clearly and emphatically expressed again in of the sense of the Senate amendment earlier this week. I hope that this administration will take serious note of the Senate's strong view in this regard.

I assure my colleagues here today and the people of this country that I fully and wholeheartedly support our men and women in uniform. I give these troops my gratitude and my respect. I wish that we could give them more—I wish that we could give them a clearly defined mission, with a clearly defined strategy for ending the war in Iraq and coming home.

But, this administration is not winding down its military operations in Iraq—that is evident from the size of this most recent request submitted by the President. To the contrary, it appears that the United States may be gearing up either to accommodate a permanent military presence in Iraq or to establish a launching pad for other military operations in the region. This, certainly, would be the wrong message to send to the people of Iraq and others in the region. I pray that this is not the case.

Thank you, Mr. President, and I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Idaho.

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

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

TRAUMATIC INJURY PROTECTION

Mr. CRAIG. Madam President, we have completed a tremendously important piece of legislation for the funding of our troops in Afghanistan and Iraq. During this afternoon, I, along with Senator DANNY AKAKA, my ranking member on the Veterans' Affairs Committee, and Senator MIKE DEWINE, added an amendment I want to speak for a few moments about because I think it addresses a tremendous gap in the coverage that exists in the treatment of the soldiers, sailors, marines, and airmen who are fighting for our country at this very moment.

Our amendment addresses the coverage gap through the creation of a

new traumatic injury protection insurance program for the benefit of severely disabled service members. But before I describe the amendment, let me further discuss the nature of the problem our amendment attempts to attend.

It is widely known that due to the incredible advances in medicine, service members who may not have survived life-threatening injuries in previous wars are now making it back home alive from Iraq and Afghanistan. That is the good news. The bad news, however, is that they must live with injuries that may have left them without their limbs, sight, hearing, or speech ability, or even more. All of my colleagues have likely met these brave young men and women in their home visits or right here in Washington, DC, at Walter Reed Army Medical Center. They are fighting for their lives. They are attempting to learn, through physical and occupational therapy, how to reengage back into society, needless to say, relearning things I and my colleagues probably take for granted every day—how to walk, how to read, how to simply make breakfast in the morning and what, for them, can take months and quite possibly years to learn how to redo.

It is during this rehabilitation period at military hospitals the need for additional financial resources becomes most acute. For many Guard and Reserve members at Walter Reed, they already have foregone higher paying civilian jobs prior to their deployment. Lengthy recovery periods simply add to the financial stress they bear. In addition, family members of injured soldiers bear the burdens necessary to travel from great distances to provide the love and emotional support that is absolutely essential for any successful rehabilitation. Spouses quit jobs to spend time with their husbands at the hospital, or husbands quit jobs to spend time with their wives. Parents spare no expense to be with their injured children.

To meet these needs, our amendment would create a traumatic injury protection insurance rider as part of an existing service member's group life insurance program. The traumatic insurance would provide coverage for severely disabling conditions at a cost of approximately \$1 a month for participating service members. The payment for those suffering a severe disability would be immediate and would range from \$25,000 to a maximum of \$100,000. Of course, that is to tide them over during this period before the other benefits we all know about kick in.

The purpose of the immediate payment would be to give injured service members and their families the financial cushion they need to sustain them before their medical discharge from the service, when veterans benefits kick in.

The traumatic injuries covered under our amendment include total and permanent loss of sight, loss of hands or feet, total or permanent loss of speech,

total or permanent loss of hearing, quadriplegia or paraplegia, burns greater than second degree, covering 30 percent of the body or face, certain traumatic brain injuries.

Most of the amendment is entirely reasonable given the cause. Informal CBO estimates put the fiscal year 2006 cost at about \$10 million, a very small price to pay to meet the needs of those wounded warriors.

I cannot take credit for the idea behind this amendment. The great credit must go to disabled veterans from the Wounded Warrior Project, run under the aegis of the United Spinal Association. Three Wounded Warrior veterans from the Iraq war visited my office last week to discuss the need to provide this type of an insurance benefit.

One veteran, former Army Staff Sergeant Heath Calhoun, had both of his legs amputated after being struck during a rocket-propelled grenade attack in Iraq. Heath and his wife, Tiffany, who was present with him in my office, described the financial problems they had endured after Tiffany quit her job to be with Heath during convalescence. It took over a year before Heath was medically discharged from service. While the Calhoun family was able to make it through, it was an extremely trying period. Heath told me he was adamant that other servicemen in Iraq should not have to worry about finances, should they, too, be injured.

The quickest way to accomplish that, he told me, was to add a disability insurance rider, financed by service members through monthly premium deductions, to the existing life insurance program.

I am honored to sponsor that amendment. It is now in the legislation that passed the Senate. The White House endorses it. The Defense Department endorses it. We had a press conference yesterday with the Secretary of Veterans Affairs, Jim Nicholson, and the head of personnel at the DOD.

I want to also personally compliment Ryan Kelly, who was a visitor also with me this past week. Mr. Kelly lost his right leg during an ambush near Baghdad almost 21 months ago. I am told he was a principal author of the draft legislation that culminated in the amendment we offered here this afternoon. I thank him for the tremendously fine work he did.

I also thank President Bush, of course—I just mentioned him—and his top administration officials for lending their support to this amendment. Secretary Nicholson, Defense Deputy Secretary of Defense Paul Wolfowitz, and their staffs provided invaluable technical support in drafting this amendment.

The supplemental already would make substantial improvements to benefits provided to survivors of those killed in the line of duty. I applaud all of those efforts for our veterans and their survivors. I also remind my colleagues we must be vigilant in our care for those who are still fighting to re-

gain the normalcy of the lives they enjoyed prior to sustaining catastrophic injuries in the defense of our freedoms. We now have moved this from an idea to an amendment, and now into the legislation that passed. I thank my colleagues in the Senate for their unanimous support of what is a very important piece of legislation that fills a hole and sustains a family and sustains a warrior in his or her greatest time of need—that of recovering from a traumatic injury and moving into civilian or military whole life again. I thank my colleagues for their support. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

BORDER SECURITY

Mr. BAUCUS. Madam President, I feel very strongly that we must increase our border security. The resources of our National Guard, law enforcement, and Customs and Border Patrol agents are stretched way too thin and they need our help, especially along the northern border. Their ability to successfully carry out their daily duties is of critical importance to the safety of all Americans.

We must protect our borders better and work to increase the apprehension of illegal aliens crossing into the United States.

The Intelligence Reform and Terrorism Prevention Act we passed in 2004 authorized the hiring of 2,000 new Border Patrol agents. Yet the President's budget only proposed 210 new agents—about 10 percent of what is authorized.

The Border Patrol has been dangerously underfunded. That is why I cosponsored Senator BYRD's Border Patrol amendment, which passed yesterday, and why I supported Senator EN-SIGN's amendment today.

I recognize we are fighting the war on terrorism overseas, but we need more agents, investigators, detention, and deportation officers at home.

Additional funding will ensure that more illegal aliens will be detained and our borders will be tightened against all threats, especially terrorism. The best way to prevent terrorism in the United States is to prevent terrorists from entering the United States.

In my State of Montana, we deal with the vast northern border and the terrain is not easy to patrol. As you can imagine, as the southern border is tightened, our northern border, which used to be America's back door, is quickly becoming the front door. We need more agents; it is that simple. That border is long. Agents can only cover so much territory. The agents need training and facilities.

In addition to personnel and training, we must also employ the latest technologies. The Border Patrol conducted successful tests using unmanned aerial vehicles—around here known as UAVs—along the southwest border in Arizona for surveillance and detection of individuals attempting to enter the U.S. illegally. Unfortunately, those operations were ceased at the end of January of this year. Thankfully, the funds provided in Senator BYRD's amendment will allow for the immediate resumption of these surveillance and detection operations. UAVs are a safe alternative to placing civilians in harm's way.

It is up to all of us in Congress—not just today, but in future days and weeks and months—to make sure the Border Patrol gets the help it needs. We must deliver the funds our border security personnel deserve to continue their work of apprehending illegal aliens, fighting the war on terrorism, and keeping the homefront safe.

I might add, it also applies to methamphetamines. There is a lot of that coming into our country across our borders. It is a huge problem. I daresay virtually every State in the Nation has a significant methamphetamine problem, and too much is being used by citizens in States. A lot of it is manufactured locally, but a lot is also imported. So more Border Patrol agents will help us fight not only terrorism, but the scourge of methamphetamines.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PRESERVING SENATE RULES

Mr. BAUCUS. Madam President, engraved in stone on the panel behind the Presiding Officer are the words “E pluribus unum”—“Out of many, one.”

The words also appear on the seal of the Senate, which appears on the flag the Senators see to the right of the Presiding Officer. It is one of my favorite mottos. It is the motto of the United States of America. The words mean, “One unity, formed from many parts.” They represent the Senate well. For it is here in the Senate our Nation has been brought together. It is here in the Senate our Nation's leaders have worked out many of the great compromises that have bridged the issues of the day. It is here in the Senate that disparate interests in our Nation have become one.

The Senate is a place of unity, a place of compromise, and a place of consensus, because of its rules. The Senate works to force unity, not because its rules make it easy to get

things done, but because the rules make it so hard. Because the Senate's rules require Senators to assemble majorities of three-fifths, and sometimes two-thirds, the rules force Senators to find policy positions that appeal more broadly, that transcend party, that bring more Senators together.

Because its rules make it so hard to get things done, the Senate does much of its work through the ultimate expression of unity—through unanimous consent.

Because the Senate's rules make it hard to get things done, Senators must work together to get things done. Because the Senate's rules make it hard to get things done, no Senator may completely disrespect a second Senator because a second Senator might hold up the first Senator's legislation.

Because the rules make it harder to get things done, the Senate has collegiality and comity. It is that simple. The rules make it harder to get things done, and that forces us together. Because the Senate rules make it harder to get things done, Senators of one party must reach out to the moderates of another party.

Let me state for the record, as my colleagues already know, I am one of those moderates. Since 1978, I have worked in this Chamber to put Montana first, to use common sense, to be effective, and to get things done. Because of the way the Senate works and because of the way I work, that has meant working together with other Senators, often across the aisle.

I have worked together with Republicans to cut taxes, to reform environmental laws, to open international markets to American trade, and to update Medicare to provide prescription drugs. Why? Because all those are important, and it is important to work together to get those things done.

One of the reasons moderates, like me, of both parties can move compromises and consensus legislation is because the rules of the Senate require getting more than a simple majority.

Contrast that with the House of Representatives. There the rules make it easy to get things done. But there, it is a rare exception when Members craft legislation to appeal broadly, across party lines. There the majority passes the legislation that represents the strongest achievable expression of the majority party's position. Unity is not their goal.

One might call the result majority rule, but the reality is that the product of the House of Representatives often represents an even smaller fraction. The rules of the House of Representatives often encourage a majority of those in the majority party to decide policy and then to enforce that policy within the majority caucus. Because its rules make it so easy to get things done, Representatives of one party steamroll the moderates of their own party, let alone of the other party.

Thus, the rules of the House of Representatives foster sharper partisan di-

vision between the two parties. The rules of the Senate lead to the result: “Out of many, one.” The rules of the House lead to the result: “Out of many, two.”

The Senate's rules are particularly important to a State with a small population, such as my home State of Montana. This is particularly true in light of the small House delegation that such small States have. Montana, as several other States, has one Representative in the House. States such as Montana rely on their Senators to allow their relatively greater influence to protect their interests. Without the Senate rules, rural America would have a much harder time getting heard. Sometimes it is good that the Senate's rules require more than a thin majority, in order to make sure that every part of the country is truly represented.

Fundamental to the Senate's rules, for two centuries, has been the right to extended debate. In the First Congress, Senators debated at length the permanent site for the Capitol. In 1811, the House of Representatives provided that a motion for the previous question could cut off further debate. But the Senate rules have not included such a motion since the 1806 codification of the rules. We cannot summarily cut off debate, as the House can. And even after the Senate adopted rule XXII of cloture in 1917, the Senate rules have required a supermajority to bring debate to a close. Since its revision in 1979, rule XXII has required the affirmative vote of 60 Senators to limit debate.

Thus, for two centuries, Democrats and Republicans alike have used the Senate's rules to protect the rights of the minority party. After two centuries, it would be a mistake to change those rules.

Extended debate allows Senators to protect minority interests. Extended debate gives life to the traditional story that Washington told Jefferson that, like pouring coffee into a saucer, “we pour legislation into the senatorial saucer to cool it.” Extended debate makes the Senate, in Aaron Burr's words, “a sanctuary; a citadel of law, of order, and of liberty.”

The Senate's rules thus help to protect personal rights and liberties. The Senate's rules help to ensure that no one party has absolute power. The Senate's rules help to give effect to the Founder's conception of checks and balances.

The Senate's right of extended debate is particularly important in the context of nominations for the lifetime jobs of Federal judges.

At the Constitutional Convention, the Founders debated different ways to appoint judges. On June 13, 1787, James Madison of Virginia proposed that the Senate make the appointments to protect the integrity, the independence of the third article; that is, the judges of the United States of America. On June 15, William Paterson of New Jersey