

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2006, AS OF JANUARY 25, 2005

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Enacted in Previous Sessions:			
Revenues .....	n.a.	n.a.	1,607,650
Permanents and other spending legislation .....	1,293,035	1,250,308	n.a.
Appropriation legislation .....	0	382,272	n.a.
Offsetting receipts .....	-479,872	-479,872	n.a.
Total, enacted in previous sessions: .....	813,163	1,152,708	1,607,650
Enacted This Session:			
Authorizing Legislation:			
TANF Extension Act of 2005 (P.L. 109-19) .....	148	165	0
An act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2005 (P.L. 109-39) .....	0	0	-1
Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (P.L. 109-53) .....	27	27	-3
Energy Policy Act of 2005 (P.L. 109-58) .....	141	231	-588
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109-59) .....	3,444	36	9
National Flood Insurance Program Enhanced Borrowing Authority Act of 2005 (P.L. 109-65) .....	2,000	2,000	0
Pell Grant Hurricane and Disaster Relief Act (P.L. 109-66) .....	2	2	0
TANF Emergency Response and Recovery Act of 2005 (P.L. 109-68) .....	-4,965	105	0
Natural Disaster Student Aid Fairness Act (P.L. 109-86) .....	36	18	0
Community Disaster Loan Act of 2005 (P.L. 109-88) .....	751	376	0
Medicare Cost Sharing and Welfare Extension Act of 2005 (P.L. 109-91) .....	354	341	0
An act to extend the special postage stamp for breast cancer research for two years (P.L. 109-100) .....	-1	-1	0
Valles Caldera Preservation Act of 2005 (P.L. 109-132) .....	0	2	0
Naval Vessels Transfer Act of 2005 (P.L. 109-134) .....	-26	-26	0
An act to provide certain authorities to the Department of State (P.L. 109-140) .....	1	1	0
Terrorism Risk Insurance Extension Act of 2005 (P.L. 109-144) .....	210	210	0
Second Higher Education Extension Act of 2005 (P.L. 109-150) .....	-50	-45	0
Employee Retirement Preservation Act (P.L. 109-151) .....	0	0	-2
TANF and Child Care Continuation Act of 2005 (P.L. 109-161) .....	73	81	0
National Defense Authorization Act for 2006 (P.L. 109-163) .....	-23	-24	0
United States-Bahrain Free Trade Agreement Implementation Act (P.L. 109-169) .....	1	1	-20
Appropriations Acts:			
Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109-13) .....	-39	-21	11
Interior Appropriations Act, 2006 (P.L. 109-54) .....	26,211	17,301	122
Legislative Branch Appropriations Act, 2006 (P.L. 109-55) .....	3,804	3,185	0
Homeland Security Appropriations Act, 2006 (P.L. 109-90) .....	31,860	19,306	0
Agriculture Appropriations Act, 2006 (P.L. 109-97) .....	99,262	57,294	0
Foreign Operations Appropriations Act, 2006 (P.L. 109-102) .....	20,979	8,164	0
Energy and Water Appropriations Act, 2006 (P.L. 109-103) .....	30,459	19,604	0
Science, State, Justice, Commerce Appropriations Act, 2006 (P.L. 109-108) .....	58,210	35,763	0
Military Quality of Life and VA Appropriations Act, 2006 (P.L. 109-114) .....	83,519	67,294	0
Transportation, Treasury and HUD Appropriations Act, 2006 (P.L. 109-115) .....	81,149	69,465	0
Defense Appropriations Act, 2006 (P.L. 109-148) .....	393,349	273,692	0
Labor, HHS, and Education Appropriations Act, 2006 (P.L. 109-149) .....	505,060	370,483	0
Total, enacted this session: .....	1,335,946	945,030	-472
Entitlements and mandates:			
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	-68,740	-879	n.a.
Total Current Level <sup>1, 2</sup> .....	2,080,369	2,098,617	1,607,178
Total Budget Resolution .....	2,144,384	2,161,420	1,589,892
Adjustment to budget resolution for emergency requirements <sup>3</sup> .....	-50,000	-62,424	n.a.
Adjusted Budget Resolution .....	2,094,384	2,098,996	n.a.
Current Level Over Adjusted Budget Resolution .....	n.a.	n.a.	17,286
Current Level Under Adjusted Budget Resolution .....	14,015	379	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

<sup>1</sup> Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level totals exclude the following amounts:

	Budget Authority	Outlays	Revenues
Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109-13) .....	0	30,757	0
Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From Hurricane Katrina, 2005 (P.L. 109-61) .....	0	7,750	0
Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From Hurricane Katrina, 2005 (P.L. 109-62) .....	0	21,841	0
TANF Emergency Response and Recovery Act of 2005 (P.L. 109-68) .....	200	245	0
Katrina Emergency Tax Relief Act of 2005 (P.L. 109-73) .....	128	128	-3,191
Community Disaster Loan Act of 2005 (P.L. 109-88) .....	-751	0	0
National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005 (P.L. 109-106) .....	15,000	14,000	0
Military Quality of Life and VA Appropriations Act, 2006 (P.L. 109-114) .....	1,225	1,103	0
Gulf Opportunity Zone Act of 2005 (P.L. 109-135) .....	27	27	-3,920
Defense Appropriations Act, 2006 (P.L. 109-148) .....	59,152	36,572	0
Total, enacted emergency requirements .....	74,981	112,423	-7,111

<sup>2</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget.

<sup>3</sup> H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, assumed the enactment of emergency supplemental appropriations for fiscal year 2006, in the amount of \$50,000 million in budget authority and \$62,424 million in outlays, which would be exempt from the enforcement of the budget resolution. Since the current level totals exclude the emergency appropriations in P.L. 109-13, P.L. 109-61, P.L. 109-62, P.L. 109-68, P.L. 109-73, P.L. 109-77, P.L. 109-88, P.L. 109-106, P.L. 109-114, P.L. 109-135, and P.L. 109-148 (see footnote 1 above), the budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

## IMPROVING THE PATRIOT ACT

Mr. LEAHY. Mr. President, those of us working constructively and in a bipartisan way to extend the USA PATRIOT Act with improvements have repeatedly offered to meet to work out the remaining differences. Sadly, the Senate leadership has not made the effort to work through the remaining concerns or brought us together.

I have continued meeting and talking with interested Republican and Democratic Senators. Senate staff has finally gotten together this week in a bipartisan meeting. I urge the majority leader to bring together key interested Senators to work out a bipartisan compromise that improves the failed conference report.

A majority of Senators—Republicans and Democrats, those who voted against cloture on the conference report that failed to pass the Senate and those who voted for it urged the Republican leader to act on a short-term, 3-month extension before the end of the last session. Instead, he chose to proceed with a 6-month extension that Republicans in the House found objectionable. That led to the short extension that is about to expire this week. The President had said that he would not approve a short-term extension. House Republicans had said that they would not allow a short-term extension. But just before Christmas they demanded and enacted a shorter extension than anyone else had proposed.

As soon as it became apparent that the conference report filed by the Republican leadership would be unacceptable to the Senate, I joined on Thursday, December 8, in urging a 3-month extension to work out a better bill. On the first day the Senate was next in session, Monday, December 12, Senator SUNUNU and I introduced such a bill, S.2082. We sent out a “Dear Colleague” letter to other Senators on December 13 and that bipartisan bill was cosponsored by 46 other Senators. That bill would have extended the PATRIOT Act until March 31, 2006, to allow us all to work out the remaining differences and

improve this reauthorization legislation in ways to better protect the rights of ordinary Americans. It proposed a commonsense solution to allow us to take a few more weeks to get this right for all Americans.

Contrary to the false claims and misrepresentations by some, there was no effort on either side of the aisle to do away with the PATRIOT Act. That is just not true. Along with others here in the Senate, I am seeking to mend and extend the PATRIOT Act, not to end it. There is no reason why the American people cannot have a PATRIOT Act that is both effective and that adequately protects their rights and their privacy. The only people who were threatening an expiration of the PATRIOT Act were the President and House Republicans. As I noted on December 21, the administration and the Republican congressional leadership were the ones who were objecting to extending the act and threatening to have it expire. That was wrong. That made no sense. They came to their senses in the days that followed. But now, as we approach the expiration of the current extension this Friday, the Republican congressional leadership has taken no further action and we risk sections of the PATRIOT Act expiring, again.

Republican and Democratic Senators joined together last month to say we can do better to protect Americans' liberties while ensuring our national security is as strong as it can be. In the days after 9/11 we acted as Americans, not Democrats, not Republicans. The President's political adviser Karl Rove and the rest of those who are seeking to make the PATRIOT Act a partisan political issue should instead join with our bipartisan coalition and work with us to provide a better balance to protect the rights of Americans.

Every single Senator—Republican and Democratic—voted last July to mend and extend the PATRIOT Act. That bipartisan solution was cast aside by the Bush administration and Republican congressional leaders when they hijacked the conference report, rewrote the bill in ways that fell short in protecting basic civil liberties and then tried to ram it through Congress as an all-or-nothing proposition. I have joined with Senators of both parties in an effort to work to improve the bill. Some of us are working hard to protect the security and liberty of Americans. What is wrong is for the White House to manipulate this into a partisan fight for its partisan political advantage. Instead of playing partisan politics, the Bush administration and Republican congressional leadership should join in trying to improve the law.

This is a vital debate. The terrorist threat to America's security is very real, and it is vital that we be armed with the tools needed to protect Americans' security. At the same time, however, the threat to civil liberties is also very real in America today. The question is not whether the Government

should have the tools it needs to protect the American people. Of course it should. That is why I coauthored the PATRIOT Act 5 years ago, and that is why that Act passed with broad bipartisan support. When I voted for the PATRIOT Act, I did not think it was an ideal piece of legislation, and I knew that it would need careful oversight and, in due course, reform. None of us wants the PATRIOT Act to expire, and those who threatened to let it expire rather than fix it play a dangerous game.

This is about how to reconcile two shared and fundamental goals—ensuring the safety of the American people and protecting their liberty by means of a system of checks and balances that keeps the Government—their Government—accountable. Those goals are not the goals of any particular party or ideology; they are shared American goals. How to balance security with liberty and Government accountability was the most fundamental dilemma with which the Framers of our Constitution wrestled, and how to adjust that balance in the post-9/11 world is a fundamental dilemma before this Congress.

Our Nation is a democracy, founded on the principles of balanced government. We need to restore checks and balances in this country to protect us all and all that we hold dear. Our Congress and our courts provide checks on the abuse of executive authority and should protect our liberties. Congress must write the law so it provides not just a check on Presidential power but also a clear role for the courts. All Americans need to take notice and need to demand that their liberties be maintained. We can do better and must do better for the American people.

#### IRAN'S EFFORTS TO OBTAIN NUCLEAR WEAPONS

Mr. FEINGOLD. Mr. President, as a known sponsor of international terrorism, and in light of the president of Iran's recent apocalyptic statements calling for the destruction of Israel, Iran must not be allowed to develop nuclear weapons. The international community must respond quickly and decisively to Iran's gross disregard of international treaties and obligations and to its concerted and malicious efforts to develop the capability to create nuclear weapons.

The international community must take concerted and decisive action to prevent Iran from furthering its nuclear research and technology development. In its forthcoming meeting on February 2, 2006, the International Atomic Energy Agency (IAEA) Board of Governors should heed the calls by Russia, China, the European Union, and the United States to reaffirm its findings that Iran has blatantly violated its international obligations, recognize the grave nature of Iran's recent actions, and refer Iran to the United Nations Security Council. The Security

Council should then speak with one voice to condemn Iran's actions and send a clear signal that continued defiance of the international community will not be tolerated.

It is essential that the Security Council approve specific actions to prevent the furthering of Iran's nuclear capabilities. The Security Council specifically, and the international community generally, must recognize the potentially devastating link between the violent and defiant rhetoric of Iran's president and his regime's determined effort to undermine approved and transparent methods of developing civilian nuclear technology for energy use.

Congress can also take steps to help stop or slow Iran's acquisition of nuclear and other WMD-related technology, including adding teeth to export control legislation such as the Iran and Syria Nonproliferation Act. The Iran Nonproliferation Enhancement Act, S.1976, that Senator KYL and I introduced late last year would do just that. It would toughen the ISNA by requiring rather than merely authorizing sanctions on proliferators, extending sanctions to the parent companies, and increasing the types of sanctions that apply to proliferators. By adopting this legislation, we would be sending a crystal clear message to would-be proliferators: if you choose to assist Iran in developing nuclear or other WMD-related capabilities, you are also choosing to forgo doing business with the United States.

History teaches us that we cannot ignore the stated intent of those who seek to destroy nations. A nuclear-armed Iran would pose a grave threat to the region, to Israel, and to the entire international community. A concerted international effort is needed to prevent Iran from procuring the technology and materiel needed to develop a nuclear weapon. This effort must begin now, and it must be comprehensive.

#### ADDITIONAL STATEMENTS

##### IN RECOGNITION OF DR. KATHERINE ESTERLY

• Mr. CARPER. Mr. President, I rise today to recognize the achievements of Dr. Katherine Esterly. Kitty, as she is known to her friends, has had an enormous impact on the lives of countless people, many of whom were too young to even realize that she was helping them.

Dr. Esterly has dedicated her life to advancing the field of neonatology, which is the field of pediatric medicine that deals with the care of newborn infants. She has helped countless mothers-to-be and their young children by helping bring healthier babies to term and assisting those newborns who need a little extra care after their delivery. This work transcends the concepts of reduced health care costs and decreased infant mortality rates. It