

change our behaviors, then it is wrong to say prices are too high. Maybe we do not like it, but we all like to sell our product for as much as we can get for it. And that is how the market actually works and sometimes it becomes very painful.

No, it is not good. It is not good for my agriculture because that affects the price you are going to pay for food in the grocery store. There is no part of our economy that is not affected by what we are experiencing in this country right now.

But Americans have imagination. They have great ingenuity. And I am satisfied we will take this little spike in the market and make good use of it and start using our brains to power America.

If anybody thinks if you beat up on the companies—beat up all you want to—but part of the problem lies within this body because we have said “no”—resoundingly no—to a multitude of programs and projects that could have partly prevented this.

Mr. President, I yield the floor.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COCHRAN. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. COCHRAN. Mr. President, what is the regular order?

The PRESIDING OFFICER. There is 1 minute remaining in morning business, at which time it will end and we will proceed under the regular order.

Mr. COCHRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 4939, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Thune amendment No. 3704, to provide, with an offset, \$20,000,000 for the Department of Veterans Affairs for Medical Facilities.

Vitter/Landrieu modified amendment No. 3728, to provide for flood prevention in the State of Louisiana, with an offset.

The PRESIDING OFFICER (Mr. ENSIGN). Under the previous order, the Senator from Mississippi, Mr. COCHRAN, and the Senator from West Virginia, Mr. BYRD, will be recognized for up to 10 minutes each.

The Chair recognizes the Senator from West Virginia.

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

I thank the distinguished and very able chairman of the Senate Appropriations Committee, Mr. COCHRAN, for all of his hard work on this bill. He has worked hard. He has again proved himself to be a very able chairman, very knowledgeable of the contents of the bill.

The President has asked the Congress to approve over \$92 billion of emergency spending—man, that is a lot of money; \$92 billion of emergency spending—including \$72.5 billion for the wars in Iraq and Afghanistan and \$19.8 billion for the Federal response to the terrible hurricanes that struck the Gulf States in August and September of 2005.

The Appropriations Committee held several hearings on the request, and we have now debated the bill for nearly 2 weeks. It is a good bill. It is a good bill. I am proud to recommend it to the Senate.

But, regrettably, the President has threatened to veto the bill based on his assertion that it is too expensive. In a Statement of Administration Policy that has been made a part of the RECORD, the administration threatens that the President will veto the bill if it exceeds \$94.5 billion. OK. Have at it. Have at it, Mr. President. Currently, the bill totals \$108.9 billion. The President complains that the Senate has added funding for purposes other than the wars in Iraq and Afghanistan and for assisting the victims of Hurricanes Katrina and Rita.

Nowhere—nowhere—is it written in stone, nowhere is it etched in brass, on golden pillars, that this supplemental—which is likely to be the only supplemental considered for this fiscal year—has to be limited to the costs of the war and Hurricane Katrina. Nor is it etched in stone that the Congress must approve a bill that is below \$94.5 billion.

The Senate has added funding for a number of critical programs. Despite the administration's rhetoric about securing our borders and providing a layered defense of our ports, the President did not request a dime—not one thin dime—for border security or port security. He did not request a dime for making the coal mines safer for our coal miners. He did not request a dime for our farmers who have been hit with drought and hurricanes, despite the

fact that 78 percent of all U.S. counties were designated as primary or contiguous disaster areas by the Secretary of Agriculture or the President in 2005. He did not request a dime for compensating potential victims of pandemic influenza vaccines. The President's request for Katrina victims is inadequate and leaves critical gaps in housing and education.

The Senate recognized the weaknesses of the President's request in these areas and judiciously added funds. When the bill is in conference, I will urge the conferees to approve these items. You bet.

The conferees should send to the President a bill that meets the needs of this country. That is our duty. If the President wants to veto a bill that funds the troops, if he wants to veto a bill that funds victims of Hurricane Katrina, if he wants to veto a bill that provides critical resources for combating a potential avian flu, if he wants to veto a bill that secures our borders and our ports and helps our farmers to recover from disaster and makes our coal mines safer, have at it, have at it. That is his right under the Constitution. But the Congress should not be bullied by the President into neglecting its responsibility, our responsibility, to provide required funds to meet priority national needs.

Because my State of West Virginia is often hit by floods and other damaging disasters, such as the recent accidents in our coal mines, I am quite sensitive to the ability of our Federal Government to prepare for—and respond to—disasters promptly and with competence, which is what our citizens need and what our citizens deserve. Sadly, many of our Federal agencies are no longer up to these fundamental tasks. But this bill includes resources to help Federal agencies restore their capabilities.

I am especially grateful to and I especially thank the chairman for including, at my request and the request of others, an amount of \$35.6 million for improved mine safety and health programs. In the wake of 18 coal-mining deaths in the State of West Virginia this year—18 coal-mining deaths in the State of West Virginia this year—and another 16 mining deaths in other States, it is imperative that the Congress act immediately to ensure that an adequate number of safety inspectors will be provided for our Nation's mines and to expedite the introduction of critical safety equipment.

This week, we have heard testimony from the families of those killed in the Sago explosion in January. We have heard from the coal operators. We have heard from experts. In all of this testimony, one truth is clear: Lives can be saved when the Federal Mine Safety and Health Administration places miners' safety and health at the very top of its priority list. We must have more inspectors on the job, yes. We must have better rescue teams trained and

equipped and ready to go at a moment's notice. We must have pre-positioned oxygen and emergency supplies in our coal mines. And we must have ways to communicate with trapped miners. It just has to be. We have to do these things. It is simply inexcusable that our miners have oxygen canisters that last only 1 hour, only 60 minutes, when miners may be trapped under the ground for several days, or that the miners may not have emergency communications equipment that can reach the surface in the event of an extended rescue effort. The chairman has my genuine appreciation for including these funds in the committee-reported bill. I also thank Senator SPECTER, Senator HARKIN, and Senator JAY ROCKEFELLER for their support of the initiative.

The bill before the Senate also includes a provision to extend the Abandoned Mine Land authority through fiscal year 2007. The AML Program and combined benefits fund are very important programs that are needed by retired coal miners and their families and coalfield communities throughout this country. I thank Chairman COCHRAN and I thank Senator SPECTER and I thank Senator DOMENICI for supporting me in this effort.

Finally, the Senate, by a vote of 94 to 0, approved my amendment encouraging the President to budget for the cost of the wars in Iraq and Afghanistan. You can't fund these wars on the cheap. Upon passage of this supplemental bill, the total amount appropriated for the war in Iraq, including the cost of reconstruction, will be approximately \$320 billion—that is \$3.20 for every minute since Jesus Christ was born; think of it, that is a staggering figure—virtually all of it funded through ad hoc emergency supplemental appropriations. And the costs continue to grow and grow.

The President refuses to include a realistic estimate of the cost of the wars in his annual budget request.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD. Would the Chair repeat?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. I ask unanimous consent to proceed for not to exceed 3 minutes.

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

Mr. BYRD. He continues to rely on ad hoc, poorly justified emergency supplemental requests that he expects the Congress to rubberstamp. As a result, there is virtually no debate about how our country is going to pay for these massive bills. Nobody seems to be minding the store when it comes to controlling the escalating costs of the wars in Iraq and Afghanistan. The failure of the President to heed the repeated calls by the Senate to budget for the wars in Iraq and Afghanistan has resulted in more unnecessary spending that is hidden from public view. Until the President begins to include a real estimate of the cost of the

wars in his annual budget, American taxpayers will continue to see billions of dollars spent without any true measure of accountability.

The Senate has given its strong support to this amendment five times, and the President continues to disregard this direction by the Senate. I hope the 94-to-0 vote on an amendment that encourages the President to include the full cost of the wars in the budget finally, finally, finally gets his attention.

I urge adoption of the bill, and I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I first thank very sincerely the distinguished Senator from West Virginia for his good help and assistance, his guidance and his leadership in the development and passage of this bill. We have been called upon, as he points out, to provide emergency supplemental funding for war costs, providing the Department of Defense and the Department of State with funding in accounts that have been devoted to that cause and that effort. It is very important to the protection of the security interests of the people of the United States. So this is an important measure we are taking up today and moving to final passage.

Under the order that was entered last evening, there would be 10 minutes allocated to the Senator from West Virginia and to this Senator, and then there would be consecutive votes on or in relation to two amendments, one which is being offered by the Senator from South Dakota, Mr. THUNE, the other by the Senator from Louisiana, Mr. VITTER, as modified, without intervening action or debate, and that following those votes, the bill be read a third time and the Senate proceed to a vote on passage of the bill without intervening action or debate. So the order provides for no debate today but just votes on the final two amendments that have been held for votes now.

There have been several other amendments which have been cleared, but I am going to ask unanimous consent that each Senator who has an amendment that has not been considered—Senator THUNE and Senator VITTER—be given 2 minutes each to describe their amendments and that the managers of the bill likewise be given 2 minutes each on each amendment, if comments are needed, by the managers of the bill.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, reserving the right to object, if I understand the chairman's request, it is to get 4 minutes of additional time on their side. I ask unanimous consent, then, for an additional 4 minutes on our side for comment only.

Mr. COCHRAN. I have no objection to that.

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

Mr. COCHRAN. I thank the Senator for her comments. Let me also point

out how helpful Senator MURRAY has been in the handling of this legislation. She has served at the request of the Senator from West Virginia as the floor manager during much of the consideration of this bill and has done a truly outstanding job in helping to explain the provisions of the bill, as reported by the committee, and debating amendments and helping guide this measure to the point of passage where it is right now.

Before yielding the floor to those who have amendments, let me use the remainder of my 10 minutes by presenting to the Senate some amendments that have been cleared on both sides of the aisle.

AMENDMENT NO. 3753

I ask unanimous consent that it be in order to call up and consider amendment No. 3753 on behalf of Ms. LANDRIEU regarding hurricane disaster-related housing assistance.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Ms. LANDRIEU, proposes amendment numbered 3753.

Mr. COCHRAN. 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 project-based housing assistance to repair housing damaged as a result of Hurricane Katrina and other hurricanes of the 2005 hurricane season)

On page 198, line 18, strike "Provided further, That" and all that follows through "assistance:" on page 199, line 1, and insert the following: "Provided further, That no less than \$100,000,000 shall be made available as project-based assistance used to support the reconstruction, rebuilding, and repair of assisted housing that suffered the consequences of Hurricane Katrina and other hurricanes of the 2005 season or new structures supported under the low income tax credit program: Provided further, That previously assisted HUD project-based housing and residents of such housing shall be accorded a preference in the use of such project-based assistance, except that such funds shall be made available for 4,500 project-based vouchers for supportive housing units for persons with disabilities, as that term is defined in section 422(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11382(2)), elderly families, or previously homeless individuals and families: Provided further, That the limitation contained in section 8(o)(13)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)(B)) shall not apply to such funds:"

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to amendment No. 3753.

The amendment (No. 3753) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3677

Mr. COCHRAN. I ask unanimous consent that it be in order to call up and consider amendment No. 3677 on behalf of Mr. VOINOVICH regarding Rickenbacker Airport in Ohio.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. VOINOVICH, proposes an amendment numbered 3677.

Mr. COCHRAN. 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 make a technical correction to a project for Rickenbacker Airport, Columbus, Ohio)

On page 253, between lines 19 and 20, insert the following:

RICKENBACKER AIRPORT, COLUMBUS, OHIO

SEC. _____. The project numbered 4651 in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1434) is amended by striking "Grading, paving" and all that follows through "Airport" and inserting "Grading, paving, roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport, Columbus, OH".

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

The amendment (No. 3677) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3819

Mr. COCHRAN. Mr. President, I ask unanimous consent that it be in order to call up and consider amendment No. 3819 on behalf of Mr. VITTER regarding fishery finance program loans.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. VITTER, proposes amendment numbered 3819.

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

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

The amendment is as follows:

On page 140, strike from line 8 "\$10,000,000" through line 15 "years:", and insert in its place on page 140, line 8, after "appropriated" the following: "\$30 million shall be provided for the fishery finance program loans under title XI of the Merchant Marine Act, 1936, (46 U.S.C. App. 1271 et seq.) to satisfy loan obligations for loans used to make expenditures, guarantee or finance to repair, replace or restore fisheries infrastructure, vessels, facilities, or fish processing facilities

home-ported or located within the declared fisheries disaster area."

AMENDMENT NO. 3819, AS MODIFIED

Mr. COCHRAN. Mr. President, a modification has been sent to the desk.

The PRESIDING OFFICER. Is there objection to the modification?

The amendment is so modified.

The amendment (No. 3819), as modified, is as follows:

(Purpose: To provide hurricane assistance to certain holders of fishery finance program loans)

On page 140, strike from line 8 "\$10,000,000" through line 16 "\$50,000,000", and insert in its place on page 140, line 8, after "appropriated" the following: "\$66 million shall be provided for the fishery finance program loans under title XI of the Merchant Marine Act, 1936, (46 U.S.C. App. 1271 et seq.) to satisfy loan obligations for loans used to make expenditures, guarantee or finance to repair, replace or restore fisheries infrastructure, vessels, facilities, or fish processing facilities home-ported or located within the declared fisheries disaster area: *Provided further*, That of the total amount appropriated, \$14,000,000".

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

The amendment (No. 3819), as modified, was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3860

Mr. COCHRAN. Mr. President, I ask unanimous consent that it be in order to call up and consider an amendment on behalf of Mr. BYRD regarding the availability of previously appropriated funds to the Health Resources and Services Administration. The amendment has been sent to the desk.

The PRESIDING OFFICER. Is there objection? Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. BYRD, proposes amendment numbered 3860.

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

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

The amendment is as follows:

(Purpose: To extend the availability of certain funds appropriated in Public Law 106-554)

At the appropriate place, insert the following: *Provided further*, that unexpended balances for Health Resources and Services Administration grant number 7C6HF03601-01-00, appropriated in P.L. 106-554, shall remain available until expended.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, this is a technical amendment. It costs no additional funds. It simply fixes a mistake in a grant notice. The fiscal year 2001

Labor-HHS bill included funding for West Virginia University for construction of the neurosciences building. The HHS grant documents sent to the university mistakenly stated that the funds would be available until September 30, 2009, and that was incorrect. The money is expiring on September 30, 2006. This amendment would make the funds available consistent with the grant documents.

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

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

If not, the question is on agreeing to the amendment.

The amendment (No. 3860) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3592

Mr. COCHRAN. Mr. President, I ask unanimous consent that it be in order to call up and consider amendment No. 3592 on behalf of Mr. REED regarding Fox Point Hurricane Barrier, RI.

The PRESIDING OFFICER. Is there objection?

Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. REED, proposes amendment numbered 3592.

Mr. COCHRAN. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide emergency funding to upgrade the Fox Point hurricane barrier in Providence, Rhode Island)

On page 162, between lines 12 and 13, insert the following:

FOX POINT HURRICANE BARRIER

For an additional amount for the Secretary of the Army, acting through the Chief of Engineers, for use in upgrading the electro-mechanical control system of the Fox Point hurricane barrier in Providence, Rhode Island, \$1,055,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

Mr. REED. Mr. President, two important lessons we learned from Hurricane Katrina are that our Nation's infrastructure to protect Americans from flooding and hurricanes is inadequate and upfront investment in this infrastructure can save lives and is a sound investment of taxpayers' money in order to prevent costly reconstruction.

The Fox Point Hurricane Barrier in Providence, RI protects the city and adjoining communities from the catastrophic effects of hurricane storm surge in Narragansett Bay and torrential rains with the Providence River basin. Built in the 1960s, as a joint

flood control project by the city and the Army Corps of Engineers, the barrier employs three 35-foot high gates, an electrically driven pumping station, and dikes to protect tens of thousands of people and approximately \$5 billion worth of property. The hurricane barrier is a one-half mile long structure that extends from Allens Avenue to India Point Park. It was the first structure of its type in the United States to be approved for construction.

The Hurricane of 1938 and Hurricane Carol in 1954 devastated communities in Rhode Island. The Hurricane of 1938 generated a storm surge of 16 feet that traveled up Narragansett Bay and flooded downtown Providence under 10 feet of water. Two hundred and seven Rhode Islanders were killed, and damage totaled \$125 million—more than \$1 billion in today's dollars. Hurricane Carol in 1954 flooded Providence, leaving the city under 8 feet of water and destroying 4,000 houses.

The Corps and city built the Fox Point Hurricane Barrier to keep a storm surge from flowing into downtown Providence. Since its construction, sea levels have risen 9 to 10 inches. In addition, Rhode Island has lost wetlands and tidal flats that could help mitigate a storm surge. According to Jon Boothroyd, a geologist at the University of Rhode Island, the filled land will force water into a narrower area, causing a higher storm surge. The loss of marshes and fields behind the barrier will further exacerbate the problem as water could also move faster downstream to the barrier. For these reasons, it is imperative that the barrier and pumps work if and when they are needed.

In recent years, the Army Corps of Engineers and the city of Providence have evaluated the barrier and determined that the electromechanical control system for the barrier's pumps must be replaced. The Corps has reported that during several inspections, the pump motors have occasionally failed to start because of faulty relays or other related electrical problems. In a letter dated December 7, 2003, Richard C. Carlson with the New England Director of the Army Corps of Engineers stated that "During the past several inspections the pump motors have occasionally failed to start because of faulty relays or other electrically related problems. This is symptomatic of the age and condition of the electrical components, most of which are original." The electromechanical control system has been in service for 40 years, and due to its age repair parts are nearly impossible to obtain.

We have been lucky as New England has not had a strong hurricane in 50 years, but that could mean that our luck is running out. The city and I are concerned that failure of the system during an actual storm could result in the flooding of Providence's downtown business district and thousands of residences. The Fox Point Hurricane Barrier is a project authorized by the

Water Resources Development Act, and the Federal Government should fulfill its obligation to provide a safe, structural sound barrier that operates when necessary. For this reason, I filed an amendment to the supplemental appropriations bill, H.R. 4939, to provide \$1,055,000 to complete upgrades to the Fox Point Hurricane Barrier. I am pleased that the Senate accepted my amendment for this funding. Senator CHAFEE and I also sponsored an amendment to the bill to turn over responsibility for the annual operations and maintenance of the hurricane barrier to the Army Corps of Engineers. I am glad that the Senate also decided to accept this amendment. I will work with my colleagues to maintain these amendments as this bill moves through conference.

AMENDMENT NO. 3592, AS MODIFIED

Mr. COCHRAN. Mr. President, a modification has been sent to the desk.

The PRESIDING OFFICER. Is there objection to the modification?

The amendment is so modified.

The amendment (No. 3592), as modified, was agreed to.

On page 253, between lines 19 and 20, insert the following:

SEC. . FOX POINT HURRICANE BARRIER.

The Secretary of the Army, acting through the Chief of Engineers, for use in upgrading the electro-mechanical control system of the Fox Point hurricane barrier in Providence, Rhode Island, \$1,055,000, to remain available until expended: from within available funds of "OPERATIONS AND MAINTENANCE" under the heading "CORPS OF ENGINEER: CIVIL" of Title I of the Energy and Water Development Act, 2006 (Public Law 109-103).

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 3592), as modified, was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3729

Mr. COCHRAN. Mr. President, I ask unanimous consent that it be in order to call up and consider amendment No. 3729 on behalf of Mr. CHAFEE regarding Fox Point Hurricane Barrier, RI.

The PRESIDING OFFICER. Is there objection?

Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. CHAFEE, proposes an amendment numbered 3729.

Mr. COCHRAN. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To direct the Secretary of the Army to assume responsibility for the annual operation and maintenance of the Fox Point Hurricane Barrier, Providence, Rhode Island)

On page 253, between lines 19 and 20, insert the following:

FOX POINT HURRICANE BARRIER, PROVIDENCE, RHODE ISLAND

SEC. 7 _____. (a) In this section:

(1) The term "Barrier" means the Fox Point Hurricane Barrier, Providence, Rhode Island.

(2) The term "City" means the city of Providence, Rhode Island.

(3) The term "Secretary" means the Secretary of the Army, acting through the Chief of Engineers.

(b) Not later than 2 years after the date of enactment of this Act, the Secretary shall assume responsibility for the annual operation and maintenance of the Barrier.

(c)(1) The City, in coordination with the Secretary, shall identify any land and structures required for the continued operation and maintenance, repair, replacement, rehabilitation, and structural integrity of the Barrier.

(2) The City shall convey to the Secretary, by quitclaim deed and without consideration, all rights, title, and interests of the City in and to the land and structures identified under paragraph (1).

(d) There are authorized to be appropriated to the Secretary such funds as are necessary for each fiscal year to operate and maintain the Barrier (including repair, replacement, and rehabilitation).

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 3729) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3761

Mr. COCHRAN. Mr. President, I ask unanimous consent that it be in order to call up and consider amendment No. 3761 on behalf of Mr. BAUCUS regarding transportation contract authority.

The PRESIDING OFFICER. Is there objection?

Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. BAUCUS, proposes amendment numbered 3761.

Mr. COCHRAN. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 253, between lines 19 and 20, insert the following:

CONTRACT AUTHORITY

SEC. 70 _____. (a) Section 1940 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59; 119 Stat. 1511) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(C) by striking “\$10,000,000” each place that it appears and inserting “\$12,500,000”; and

(2) by adding at the end the following:

“(c) CONTRACT AUTHORITY.—Except as otherwise provided in this section, funds authorized to be appropriated under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.”.

(b) Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, \$50,000,000 is rescinded.

Mr. COCHRAN. I ask unanimous consent that Senator BURNS be added as a cosponsor of that amendment.

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

Mr. COCHRAN. I thank the Chair.

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

The question is on agreeing to the amendment.

The amendment (No. 3761) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3805

Mr. COCHRAN. Finally, I ask unanimous consent that it be in order to call up and consider amendment No. 3805 on behalf of Mr. BENNETT regarding sign repair and replacement.

The PRESIDING OFFICER. Is there objection?

Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. BENNETT, proposes an amendment numbered 3805.

Mr. COCHRAN. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To allow nonconforming signs damaged by an act of God to be repaired or replaced under certain conditions)

At the appropriate place insert the following:

SIGN REPAIR OR REPLACEMENT

SEC. _____. Notwithstanding part 750 of title 23, Code of Federal Regulations (or a successor regulation), if permitted by State law, a nonconforming sign that is damaged, destroyed, abandoned, or discontinued as a result of an act of God (as defined by State law) may be repaired, replaced, or reconstructed if the replacement sign has the same dimensions as the original sign.

AMENDMENT NO. 3805, AS MODIFIED

Mr. COCHRAN. Mr. President, a modification has been sent to the desk.

The PRESIDING OFFICER. Is there objection to the modification? Without objection, the amendment is so modified.

The amendment (No. 3805), as modified, is as follows:

In lieu of the matter proposed to be inserted, insert the following:

SIGN REPAIR OR REPLACEMENT

SEC. _____. Notwithstanding part 750 of title 23, Code of Federal Regulations (or a successor regulation), if permitted by state law, a nonconforming sign that is or has been damaged, destroyed, abandoned, or discontinued as a result of a hurricane that is determined to be an act of God (as defined by state law) may be repaired, replaced, or reconstructed if the replacement sign has the same dimensions as the original sign, and said sign is located within a state found within FEMA Region IV or VI. The provisions of this section shall cease to be in effect thirty-six months following the date of enactment of this Act.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 3805), as modified, was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, that concludes the requests for consideration of amendments by the Chair. There are two remaining amendments to be considered, one by Senator THUNE and one by Senator VITTER. I am happy to yield the floor to them to describe their amendments. I will have a comment about Mr. THUNE's amendment. It is my hope that we can adopt the Vitter amendment on a voice vote. I know of no objection to it. The Thune amendment does have objections and will require a recorded vote. So that is for the information of Senators.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

AMENDMENT NO. 3728, AS MODIFIED

Mr. VITTER. Mr. President, I ask unanimous consent to call up amendment No. 3728, as modified, for consideration.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 3728, AS FURTHER MODIFIED

Mr. VITTER. Mr. President, I ask unanimous consent that this amendment be further modified to reflect the changes which have been submitted to the desk.

The PRESIDING OFFICER. Is there objection to the modification? The amendment is so further modified.

(The amendment (No. 3728), as further modified, is as follows:

Strike line 22, page 160 through line 23 on page 165 and insert:

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$3,299,000,000, to remain available until expended: *Provided*, That the Secretary of the Army is directed to use the funds appropriated under this heading to modify, at full Federal expense, authorized projects in southeast Louisiana to provide hurricane and storm damage reduction and flood damage reduction in the greater New Orleans and

surrounding areas; of the funds appropriated under this heading, \$200,000,000 shall be used for section 2401; \$530,000,000 shall be used to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront; \$250,000,000 shall be used for storm-proofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; \$170,000,000 shall be used for armoring critical elements of the New Orleans hurricane and storm damage reduction system; \$350,000,000 shall be used to improve protection at the Inner Harbor Navigation Canal; \$215,000,000 shall be used to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; and \$1,584,000,000 shall be used for reinforcing or replacing flood walls, as necessary, in the existing Lake Pontchartrain and vicinity project and the existing West Bank and vicinity project to improve the performance of the systems: *Provided further*, That any project using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That the amount provided under this heading 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.

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to those hurricanes and other disasters, \$17,500,000, to remain available until expended: *Provided*, That the amount provided under this heading 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: *Provided further*, That the Secretary, acting through the Chief of Engineers, is directed to use funds appropriated under this heading for the restoration of funds for hurricane-damaged projects in the State of Pennsylvania: *Provided further*, That the amount shall be available for the projects identified above and only to the extent that an official budget request for a specific dollar amount, including a designation of the entire amount of the request as an emergency requirement, is transmitted by the President to Congress.

GENERAL PROVISIONS—THIS CHAPTER

FLOOD PROTECTION, LOUISIANA

SEC. 2401.(a) There shall be made available \$200,000,000 for the Secretary of the Army (referred to in this section as the “Secretary”) to provide, at full Federal expense—

(1) removal of the existing pumping stations on the 3 interior drainage canals in Jefferson and Orleans Parishes and realignment of the drainage canals to direct interior flows to the new permanent pump stations to be constructed at Lake Pontchartrain;

(2) repairs, replacements, modifications, and improvements of non-Federal levees and associated protection measures—

(A) in areas of Terrebonne Parish; and

(B) on the east bank of the Mississippi River in Plaquemines Parish, Louisiana; and

(3) for armoring the hurricane and storm damage reduction system in south Louisiana.

(4) A project under this section shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary to pay 100 percent of the operation and maintenance costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors.

(5) Not later than 60 days after the date of enactment of this act the Secretary in consultation with Plaquemines Parish and the state of Louisiana shall submit to Congress a report detailing a modified plan regarding levels of protection for lower Plaquemines Parish, Louisiana, relating to hurricane protection with a focus on—

- (A) protecting densely populated areas;
- (B) energy infrastructure;
- (C) structural and nonstructural coastal barriers and protection;
- (D) port facilities; and
- (E) the long-term maintenance and protection of the deep draft navigation channel on the Mississippi River, not including the Mississippi River-Gulf Outlet.

(6) Not later than 30 days after the date of enactment of this Act, the Secretary shall offer to enter into a contract with the National Academies to provide to the Secretary a report, by not later than 90 days after the date of enactment of this Act, describing, for the period beginning on the date on which the individual system components for hurricane and storm damage reduction was constructed and ending on the date on which the report is prepared, the difference between—

(A) the portion of the vertical depreciation of the system that is attributable to design and construction flaws, taking into consideration the settling of levees and floodwalls or subsidence; and

(B) the portion of that depreciation that is attributable to the application of new storm data that may require a higher level of vertical protection in order to comply with 100-year floodplain certification and standard protect hurricane.

(7)(e) The Secretary of the Army, acting through the Chief of Engineers, shall use \$3,500,000 within the funds provided in Sec. 2401(a) to develop a comprehensive plan, at full Federal expense, to, at a minimum, deauthorize deep draft navigation on the Mississippi river Gulf Outlet established by Public Law 84-455 (70 Stat. 65, chapter 112) (referred to in this matter as the "Outlet"), extending from the Gulf of Mexico to the Gulf Intracoastal Waterway, and address wetland losses attributable to the Outlet, channel bank erosion, hurricane and storm protection, saltwater intrusion, navigation, ecosystem restoration, and related issues: *Provided*, That the plan shall include recommended authorization modifications to the Outlet regarding what, if any, navigation should continue, measures to provide hurricane and storm protection, prevent saltwater intrusion, and re-establish the storm buffering properties and ecological integrity of the wetland damaged by construction and operation of the Outlet, and complement restoration of coastal Louisiana: *Provided further*, That the Secretary shall develop the plan in consultation with the Parish of St. Bernard, Louisiana, the State of Louisiana, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, and the National Academy of Sciences: *Provided further*, That the Secretary shall seek input, review, and comment from the public and the scientific community for incorporation into the interim plan: *Provided further*, That the Secretary shall ensure that an independent panel of experts established by the National Academy of Sciences reviews and provides

written comments for incorporation into the interim plan: *Provided further*, That, not later than 6 months after the date of enactment of this Act, the Secretary shall submit an interim report to Congress comprising the plan, the written comments of the independent panel of experts, and the written explanation of the Secretary for any recommendation of the independent panel of experts not adopted in the plan: *Provided further*, That the Secretary shall refine the plan, if necessary, to be fully consistent, integrated, and included in the final technical report to be issued in December 2007 pursuant to the matter under the heading "INVESTIGATIONS" under the heading "CORPS OF ENGINEERS—CIVIL" of title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103, 119 Stat. 2247; Public Law 109-148, 119 Stat. 2814): *Provided further*, That the amount provided under this heading 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: *Provided further*, That, for the projects identified in the report on the Mississippi River Gulf Outlet due by December 2007, required by this section, the Secretary shall submit such reports to the Senate Environment and Public Works Committee and House Transportation and Infrastructure Committee: *Provided further*, That upon adoption of a resolution authorizing the project by each committee, the Secretary shall be authorized to construct such projects.

(8)(f) The amounts provided under this heading are 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.

SEC. 2402. USE OF UNEXPENDED FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, amounts made available to the State of Oklahoma or agencies or authorities therein (referred to in this section as the "State") before the date of enactment of this act for general remediation activities being conducted in the vicinity of the Tar Creek Superfund Site in northeastern Oklahoma and in Ottawa County, Oklahoma that remain unexpended as of the date of enactment of this Act are authorized to be used by the State to assist individuals and entities in removal from areas at risk or potential risk of damage caused by land subsidence as determined by the State.

(b) USE OF UNEXPENDED FUNDS.—the use of unexpended funds in accordance with subsection (a)—

(1) shall not be subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.); and

(2) may include any general remediation activities described in section (a) determined to be appropriate by the State, including the buyout of 1 or more properties to facilitate a removal described in subsection (a).

CHAPTER 5

DEPARTMENT OF HOMELAND SECURITY

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$12,900,000: *Provided*, That the amount provided under this heading 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.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the

consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$4,800,000, to remain available until expended: *Provided*, That the amount provided under this heading 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.

UNITED STATES COAST GUARD OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Operating Expenses" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$90,570,900, to remain available until September 30, 2007, of which up to \$267,000 may be transferred to "Environmental Compliance and Restoration" to be used for environmental cleanup and restoration of Coast Guard facilities in the Gulf of Mexico region; and of which up to \$470,000 may be transferred to "Research, Development, Test and Evaluation" to be used for salvage and repair of research and development equipment and facilities: *Provided*, That the amounts provided under this heading are 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.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$191,844,000, to remain available until expended: *Provided*, That such amounts shall be available for major repair and reconstruction projects for facilities that were damaged and for damage to vessels currently under construction, for the replacement of damaged equipment, and for the reimbursement of delay, loss of efficiency, disruption, and related costs: *Provided further*, That amounts provided are also for equitable adjustments and provisional payments to contracts for Coast Guard vessels for which funds have been previously appropriated: *Provided further*, That the amount provided under this heading 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.

FEDERAL EMERGENCY MANAGEMENT AGENCY ADMINISTRATIVE AND REGIONAL OPERATIONS

For an additional amount for "Administrative and Regional Operations" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$71,800,000, to remain available until expended: *Provided*, That the amount provided under this heading 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.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

For an additional amount for "Preparedness, Mitigation, Response, and Recovery" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$10,000,000, to remain available until expended: *Provided*, That the amount provided under this heading 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.

DISASTER RELIEF

For an additional amount for "Disaster Relief" for necessary expenses under the

Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$10,400,000,000, to remain available until expended: *Provided*, That the amount provided under this heading 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. VITTER. Mr. President, this amendment has been worked on quite a bit. An agreement has been reached with all relevant Members, particularly the chairs and ranking members of all of the relevant committees. It doesn't increase the cost of the bill. It addresses a number of urgent flood protection needs in Louisiana and, again, represents a very solid compromise which I am proud to sponsor.

With that, I ask that Members agree to the amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 3728), as further modified, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. 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 South Dakota is recognized.

Mr. THUNE. Mr. President, I thank the Chair for yielding time on this amendment.

This amendment would provide an additional \$20 million for veterans health care, offset by striking \$20 million that would be appropriated under this supplemental for the Americorps program. The Americorps program has already received \$900 million in appropriations for fiscal year 2006, according to the committee report on this bill.

In 2005, the VA transferred \$452 million from its Medical Facilities account to its Medical Services account. I would like to replenish the VA Medical Facilities account a little, if it's possible to do in a fiscally responsible way. This amendment provides the opportunity to do so, by taking money from an ineffective and mismanaged program—the Americorps National Civilian Community Service Corps program—and providing it for veterans health care.

Mr. President, my amendment would make some resources available to carry out the Secretary's Capital Asset Realignment for Enhancement Services, or CARES, decision, which mandated that 156 priority community-based clinics be established by 2012.

As I said, talking about AmeriCorps, Senator MIKULSKI has described the overall AmeriCorps Program as “like Enron's nonprofit.”

What has been said by GAO—they described it as they have been living on the edge, with tracking based on projections instead of real accounts.

My amendment simply helps us understand that the budget process is about making choices, about setting

priorities, and that providing assistance for this program under the VA health care and using as an offset to pay for it this AmeriCorps Program, which has already been funded at \$900 million this year, and, as I have described, has been described by many, including those on the other side of the aisle, as a program that has serious management problems, serious financial accounting and tracking problems.

So I urge the adoption of the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. Mr. President, the Thune amendment will reduce the funding for the National Civilian Community Corps by \$20 million. These funds are needed to pay the expenses of training and subsistence for those who have volunteered to provide emergency assistance in the gulf coast region, to help disaster victims recover from the destruction caused by Hurricanes Rita and Katrina.

There have been over 1,600 National Civilian Community Corps members in my State of Mississippi since August 30, the day after Hurricane Katrina struck our coast. They continue to provide essential assistance. The State of Mississippi put our State office of the National Civilian Community Corps in charge of the emergency 24-hour call center, as well as supply distribution centers. To date, the National Civilian Community Corps has assisted 1,140,000 people; cleaned out 1,500 homes; contributed nearly 2,000 tons of food and 2,790 tons of clothing; served 1 million meals; refurbished 732 homes; supported 654 emergency response centers; and completed 1,730 damage assessments.

The volunteers of the National Civilian Community Corps receive about \$4,000 for college expenses. They are modestly housed, fed, and provided with health care and uniforms. They remain available at a moment's notice for deployment to any emergency in the country. The Federal Emergency Management Agency, the Red Cross, and others depend upon this group of professionally trained volunteers for assistance and support.

The thousands of volunteers who are helping care for children and helping the gulf coast recover and rebuild are the backbone of the progress being made in the hurricane-damaged region of our country. They give hope to our families, and I urge the Senate to reject the Thune amendment.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, as we gather this morning, our troops in Iraq and Afghanistan need our support, families on the gulf coast need help rebuilding their lives, and communities all across this country need help moving forward. And now it is down to us. Will we provide that support? Will we provide that critical help? Or will we leave our troops unfunded, our gulf coast in ruins, and our communities

stalled? This is the bill that determines whether we move forward as a country or whether we make it harder for our troops, for hurricane victims, and for American families to make progress. That is the choice before us.

I am on the floor this morning—as I have been all week—saying we need to move our country forward by passing this emergency supplemental bill. I do want to address some of the concerns that have been raised about this bill.

For years, this White House has been playing games to hide the cost of war. We know we have tremendous expenses in Iraq and Afghanistan. Everyone knows that. But when it's time to write the budget—suddenly this White House develops amnesia. It somehow “forgets” to include the cost of war in the regular budget process. On the day the administration sends us its budget—the ongoing cost of war is somehow unknowable. But a few weeks later—when it sends up an emergency supplemental—suddenly we have got this huge document that lists the costs of war. It is a fiction, a sham, a game. And for too long—this Congress has been going along with it. We don't include the war in the budget. We don't fund the war through the Defense Appropriations bill, we just expect to pay for it through emergency supplementals, and that is not honest. Moreover, it means that real emergencies—unanticipated natural disasters and our own homeland security needs—are pushed aside and rendered “less important” than ongoing war costs.

All year I have been on the floor saying that if we are not realistic with our budgets, we are going to have to make up the difference in emergency spending—and that is where we find ourselves today.

Mr. President, I want to walk through how the size of the supplemental has changed to remind my colleagues that it didn't just grow mysteriously. Members of both parties added critical priorities to the supplemental, and members have stood up for those critical investments.

When the Senate Appropriations Committee gathered in early April to mark up this bill, several amendments were adopted that added to the cost of the bill. They included bipartisan amendments to address the agricultural disasters that we have witnessed across the country. That amendment was championed by Senator DORGAN and Senator BURNS.

Senator HARKIN added an amendment to make sure that there will be adequate funds to finance the administration's preparations to deal with a pandemic flu outbreak.

With the support of Senator BOND, I added an amendment to address the backlog of claims for highway emergency relief that still haven't been paid for recent declared disasters across the country; including: Hurricane Ivan, Hurricane Dennis, the San Simeon Earthquake, Hurricane Ophelia, Tropical Storm Gaston, and the tragic

floods in Hawaii that we debated yesterday evening.

The gulf coast Senators on the committee, including Senators HUTCHISON, SHELBY, LANDRIEU, and, of course, Chairman COCHRAN, also presented amendments to better address the needs of the gulf coast region in its efforts to recover from Hurricane Katrina and the other gulf coast hurricanes.

These amendments were all offered to address the real needs of our communities here at home.

The Appropriations Committee reported this bill to the Senate Floor by a vote of 27 to 1. When we brought the bill to the floor, we received a statement of administration policy from the Bush white house. That statement said that the President would veto any bill that exceeded the level of \$94.5 billion. Soon after, the Senate was given an opportunity to vote on the President's position.

My friend, Senator THOMAS of Wyoming, offered an amendment to delete all of the provisions that were not in the administration's original request—thus bringing the size of the bill down to the level acceptable to the President. That amendment failed overwhelmingly, by a veto-proof margin of 72 to 26.

Just hours later, my friend from Nevada, Senator ENSIGN, made a motion to recommit the bill back to the Appropriations Committee with instructions that it be cut back to the level President Bush said he would support. That amendment also failed by a veto-proof margin of 68 to 28.

Why did those amendments fail, even in the face of the President's veto threat? Because Senators from across the country on both sides of the aisle recognized that the investments that this bill makes here in America are needed.

Indeed, in the face of those embarrassing votes, the Senate Republican leaders frantically scurried around to get enough signatures on a letter to the President saying they would uphold the President's veto. They were desperate to get that letter out to the media because it was clear from the votes on the Senate floor that the Members of the Senate—Republican and Democrat alike—were not prepared to ignore our needs here at home, even if President Bush is prepared to do so.

That is how this supplemental developed—one amendment at a time—Senators from both parties voted to address critical needs. Senators have stood by those investments, and now it is time to pass this bill.

Mr. President, we have critical needs in our war effort and here at home that we must address. Those needs have not been addressed through the regular budget, so we must address them through this bill. Let's pass this supplemental and make sure our troops and our communities have the support they need. And as we move forward—let's get real about the budget proc-

ess—let's get real about the cost of war—or we are going to find ourselves back here time and again passing emergency spending.

We have heard a lot about the size of the bill, and I want to address that. This supplemental is big because the budgets we have passed over the years have been unrealistically small.

Let me say that again: This bill is big because the budgets we have passed have been unrealistically small. Time and again, the White House has proposed budgets that do not come close to meeting our domestic needs—and that completely ignore the costs of war. Those budgets have been works of fiction. And if we are not going to be realistic in the regular budget process—if we are not going to include the cost of war in the regular budget, we are going to have to face reality during this supplemental.

That is where we find ourselves today. So any Member who is troubled by the size of this bill should tell the White House it is time to get real and send us budgets that include the cost of war and that address our domestic needs—or we are going to find ourselves dealing with emergency spending time and time again.

But we can't miss the big picture—either we pass this bill and help our troops in our country, or we make it harder for America to move forward. Let's have the wisdom to make the right choice.

Before I go any further, I want to acknowledge the tremendous leadership that Senator BYRD has provided throughout this process. He knows this body better than anyone. And, more importantly, he brings with him a deep commitment to doing the right things not only for the Senate, but for the country, and for the families we all represent.

I also want to thank Chairman COCHRAN for his leadership and hard work on this bill. He has shown extraordinary patience throughout this debate, and I appreciate how he has worked with all of us to keep this bill on track.

Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. The question is on agreeing to the Thune amendment No. 3704.

Mr. COCHRAN. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 3824

Mr. OBAMA. Mr. President, thank you very much for recognizing me. I ask unanimous consent to call up amendment No. 3824.

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

Will the Senator restate the number.

Mr. OBAMA. Amendment No. 3824.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. OBAMA], for Mr. VOINOVICH, for himself and Mr. OBAMA, proposes an amendment numbered 3824.

The amendment is as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. —. CHICAGO SANITARY AND SHIP CANAL DEMONSTRATION BARRIER, ILLINOIS.

(a) IN GENERAL.—Of the unobligated balances available for "OPERATION AND MAINTENANCE" under the heading "CORPS OF ENGINEERS—CIVIL" of title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103; 119 Stat. 2250), \$400,000 shall be made available for fiscal year 2006 for the maintenance of the Chicago Sanitary and Ship Canal Demonstration Barrier, Illinois, which was constructed under section 1202(i)(3) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722(i)(3)).

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1202(i)(3)(C) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722(i)(3)(C)), is amended by striking ", to carry out this paragraph, \$750,000" and inserting "such sums as are necessary to carry out the dispersal barrier demonstration project under this paragraph".

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

AMENDMENT NO. 3824, AS MODIFIED

Mr. OBAMA. Mr. President, I ask that the amendment be modified.

The PRESIDING OFFICER. Is there objection to the modification? If not, the amendment is so modified.

The amendment (No. 3824), as modified, reads as follows:

At the appropriate place insert the following:

SEC. —. CHICAGO SANITARY AND SHIP CANAL DEMONSTRATION BARRIER, ILLINOIS.

(a) IN GENERAL.—Of the unobligated balances available for "OPERATION AND MAINTENANCE" under the heading "CORPS OF ENGINEERS—CIVIL" of title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103; 119 Stat. 2250), \$400,000 shall be made available for fiscal year 2006 for the maintenance of the Chicago Sanitary and Ship Canal Demonstration Barrier, Illinois, which was constructed under section 1202(i)(3) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722(i)(3)).

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to amendment No. 3824, as modified.

The amendment (No. 3824), as modified, was agreed to.

Mr. OBAMA. I move to reconsider the vote.

Mr. DURBIN. 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 Iowa.

AMENDMENT NO. 3732

Mr. GRASSLEY. Mr. President, I ask unanimous consent to call up amendment No. 3732.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, we have no objections on this side.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself and Mr. BAUCUS, proposes an amendment numbered 3732.

Mr. GRASSLEY. 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 transfer funds from the Disaster Relief fund to the Social Security Administration for necessary expenses and direct or indirect losses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season)

On page 186, after line 22, add the following:

SEC. 2704. Of the funds made available under the heading "Disaster Relief" under the heading "Federal Emergency Management Agency" in chapter 5 of this title, \$38,000,000 is hereby transferred to the Social Security Administration for necessary expenses and direct or indirect losses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: *Provided*, That the amount transferred by this section 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. GRASSLEY. Mr. President, the supplemental appropriations bill includes \$27 billion for disaster-related expenses. But, no money, other than a nominal amount for the Inspector General, was provided for the Social Security Administration. This amendment would correct this omission.

This amendment would provide \$38 million to the Social Security Administration, SSA, to reimburse costs incurred as a result of Hurricane Katrina and other hurricanes of the 2005 season.

The Social Security Administration performed a remarkable job in response to these recent disasters.

They assisted more than 528,000 persons in FEMA Disaster Recovery Centers and shelters and helped many others who came to SSA field offices. Altogether these activities cost the agency \$38 million: \$6 million to acquire and outfit temporary space and renovate offices damaged by the storm, including costs for computers, furniture and supplies; \$12 million for processing immediate payments, changing addresses, confirming Social Security numbers, and taking new claims that resulted from the hurricanes; \$7 million to pay for the travel and per diem expenses for employees; \$12 million for costs related to unprocessed workloads—claims, hearings, etc.—due to the storms' disruptions; \$1 million for salaries of those SSA workers who volunteered to work for FEMA in the affected areas.

SSA cannot easily absorb this \$38 million because its budget is already \$300 million below the President's request for fiscal year 2006. SSA is already experiencing reductions and delays in service. This \$38 million would allow an increase in overtime hours to begin to address these backlogs.

Finally, the cost of this amendment is offset by a \$38 million reduction in the FEMA disaster relief fund. This reduction in FEMA would come from the \$2.4 billion that is designated for "other needs." This designation refers to money that has been made available for unspecified, potential future activities. It would not affect any specific project or activity in this bill.

I urge my colleagues to support this amendment.

Mr. BAUCUS. Mr. President, I rise to speak in favor of the bipartisan amendment that Finance Committee Chairman GRASSLEY has just offered. As ranking Democrat on the Finance Committee, I have worked with Chairman GRASSLEY to develop this amendment. The amendment provides \$38 million to the Social Security Administration, SSA—fully paid for—to reimburse the costs SSA incurred as a result of Hurricane Katrina and other hurricanes of the 2005 season.

The supplemental appropriations bill, as reported by the Senate Appropriations Committee, would appropriate \$106.5 billion, including \$ 67.7 billion for the wars in Iraq and Afghanistan, \$4.5 billion for foreign assistance programs, and \$27.1 billion for relief needed because of last season's hurricanes. In contrast, no funding for SSA to make up for its costs from Katrina and the other hurricanes is currently provided in the supplemental.

The Social Security Administration performed superbly in the aftermath of these hurricanes. SSA assisted more than 528,000 persons in FEMA Disaster Recovery Centers and shelters and helped many others who came to its field offices. To provide such assistance, SSA urgently invoked emergency procedures and issued approximately 85,000 immediate payments for displaced beneficiaries and those who could not access their bank or other financial accounts. In addition, SSA changed the addresses of displaced beneficiaries, provided individuals who had lost their identification documents with confirmation of their Social Security numbers, and took applications from many people from the affected areas who had become newly eligible for Social Security disability or survivors benefits or benefits from the Supplemental Security Income program. SSA even passed along messages to beneficiaries from worried family members. Finally, some SSA employees drove hours to provide relief to overstretched field offices, sometimes sleeping on air mattresses set up in the offices because there were no other places to stay.

Together, these activities caused SSA to redirect \$38 million from funding for its normal tasks and obligations. There were costs to SSA of \$6 million to acquire and outfit temporary space and renovate offices damaged by the storm, including costs for computers, furniture and supplies. SSA estimates that there were \$12 million in costs for new workloads, including

processing immediate payments, changing addresses, confirming Social Security numbers, and taking new claims that resulted from the hurricanes. It cost SSA \$7 million to pay for the travel and per diem expenses for employees who came to the affected areas from other regions to help, as well as for employees who were forced to relocate because of damaged or destroyed homes and offices and who continued to work in other offices. Costs related to unprocessed work include \$12 million for SSA workloads, such as claims, hearings, that were not processed as a result of the storms' disruptions. Nearly \$1 million was spent to pay the salaries of those SSA workers who volunteered to work for FEMA in the affected areas, and thus were not doing their regular SSA work.

Unfortunately for SSA, it had already had its funding cut by a total of \$300 million below the President's request for fiscal year 2006. Rather than being able to absorb the \$38 million caused by the hurricanes, SSA found its \$300 million shortfall being exacerbated by these additional \$38 million of costs.

The Social Security Administration could make very good use of an additional \$38 million of funding for fiscal year 2006 at this time by increasing overtime hours. This would allow SSA to make up for a small piece of the reductions and delays of service to its normal applicants and beneficiaries.

In the Senate-passed supplemental, many Federal agencies are reimbursed for costs arising from these hurricanes. Surprisingly, that is not the case for the Social Security Administration. This is especially ironic in view of the efforts of the Social Security Administration and its employees to help the gulf coast and its citizens, including some efforts that were above and beyond the call of duty.

This bipartisan amendment will address this funding shortfall for the Social Security Administration by providing it with an additional \$38 million for the current fiscal year. The amendment is fully paid for. As reported by the Appropriations Committee, the supplemental appropriations bill provides \$10.6 billion to FEMA for disaster relief from Hurricane Katrina and other hurricanes of the 2005 season. Of this amount, according to the committee report, \$2.4 billion is provided for "other needs." Although the report provides some examples of such "other needs," there is no list of specific projects and activities whose costs total \$2.4 billion. This amendment increases SSA's funding for fiscal year 2006 by \$38 million and reduces the \$10.6 billion appropriated for the FEMA Disaster Relief account in this bill. The \$2.4 billion provided by this bill for "other needs" is part of the \$10.6 billion appropriated for the FEMA Disaster Relief account in the bill. This amendment will not result in the loss of any specific project or activity provided for by this bill. Nor will it cause

this bill to result in any additional costs to the Federal Government.

This amendment will restore the loss of resources for the Social Security Administration that has resulted from the 2005 season's hurricanes. I believe this is the right thing to do. I urge my colleagues to support this bipartisan amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to amendment No. 3732.

The amendment (No. 3732) was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3704

Mr. BYRD. Mr. President, I rise today in opposition to the amendment from the Senator from South Dakota. This is not an amendment designed to help our veterans. It is an amendment designed to cut funding for the National Civilian Community Corps, NCCC, that the sponsor of the amendment apparently thought would be more likely to pass if the funds were allocated to veterans health care facilities.

The Senator is proposing to strike from the bill the entire \$20 million allocated to support the NCCC effort to help Katrina victims. NCCC members deployed to the gulf within 24 hours of Katrina making landfall and have been there ever since. In total, nearly 1,600 NCCC members have provided 320,000 hours of volunteer service. These young people are 18 to 24 years old. They muck out homes, remove debris, rebuild schools and community centers, coordinate the work of episodic volunteers, help families and senior citizens rebuild their homes and lives, and support other needs.

The \$20 million in the supplemental will support 800 NCCC members who will provide more than 1.2 million hours of service in the gulf coast hurricane recovery effort. Among NCCC's gulf coast accomplishments so far: assisted 1,063,000 people, mucked out 1,500 homes, distributed 1,714 tons of food, distributed 2,790 tons of clothing, served 1,000,000 meals, refurbished 732 homes, supported 542 emergency response centers, leveraged 7,715 volunteers, and completed 1,325 damage assessments.

It is important to fund health care for our veterans. That is why I voted for the Akaka amendment to add \$430 million to the bill for that purpose. I am pleased that it passed, and I hope the President requests the funds.

Veterans deserve every penny of the \$430 million added to this bill, but those who have had their lives turned upside down by Hurricane Katrina also deserve the support of the young men and women of the national Civilian Conservation Corps. We should not rob Peter to pay Paul. Therefore, I will vote against this amendment.

Ms. MIKULSKI. Mr. President, I rise in opposition to Senator THUNE's amendment and to set the record straight on my ongoing and passionate support for AmeriCorps and the National Civilian Community Corps, NCCC. The Senator from South Dakota said that I described the overall AmeriCorps program as, "It's like Enron's gone nonprofit." Senator THUNE was absolutely wrong to say that is the way I describe AmeriCorps. I love AmeriCorps. I love what they do for communities. I love what they do for America.

Senator THUNE took that quote totally out of context. I made that statement back in 2002 when a bureaucratic boondoggle led to the overenrollment of 20,000 volunteers. When that happened, I led the efforts to organize the national service groups and to strengthen AmeriCorps. Along with Senator BOND, I introduced and passed the "Strengthen AmeriCorps Program Act of 2003" which established new accounting procedures for AmeriCorps. I urged the President to appoint a new CEO for the Corporation of National Service—a CEO with the management skills necessary to restore confidence in the Corporation's abilities to make a real difference to our volunteers—and in our communities. I also asked for a reinvigorated Board of Directors that would take greater oversight and responsibility and I have consistently called for increased funding so that AmeriCorps could support 75,000 volunteers each year.

AmeriCorps is stronger than ever. Since its creation, over 300,000 volunteers have served in communities and earned education awards to go to college or to pay off student debt. To date, 7,500 Maryland residents have earned education awards. The NCCC program, which has a campus in Perry Point, MD, is a full-time residential program for 18 to 24 year olds designed to strengthen communities and develop leaders through team-based service projects. Each year, approximately 1,100 participants reside in its five campuses nationwide. The Perry Point campus houses 200 AmeriCorps members every year, and since 1994 its residents have logged more than 350,000 service hours. Most recently, NCCC members have provided more than 250,000 service hours valued at \$3.8 million to projects in the Gulf Coast region, which reflects their critical service during every American natural disaster since the program started.

The funds that Senator THUNE wants to cut are specifically dedicated to support volunteer recovery activities in the gulf and would pay for 800 NCCC members who will provide more than 1.2 million hours of service in the gulf coast hurricane recovery effort. These teams will rebuild schools and community centers, remove debris, and help senior citizens rebuild their homes and lives. This funding demonstrates the Senate's commitment to keeping this valuable program alive, despite Presi-

dent Bush's efforts to cut the Federal funds it needs to survive.

I fought to create AmeriCorps, I fought to strengthen AmeriCorps, and I will fight to save AmeriCorps. Today's Federal investment, like these fine volunteers, are needed now more than ever. I strongly encourage my Senate colleagues to make sure this money is included as a part of this emergency spending package, and I urge them to oppose Senator THUNE's amendment which would divert these critical funds away from NCCC.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3704. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Utah (Mr. HATCH).

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

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

The result was announced—yeas 39, nays 59, as follows:

[Rollcall Vote No. 111 Leg.]

YEAS—39

Allard	Enzi	Nelson (FL)
Allen	Frist	Pryor
Brownback	Gregg	Roberts
Burns	Hagel	Sessions
Burr	Hutchison	Snowe
Chambliss	Inhofe	Stabenow
Coburn	Isakson	Sununu
Collins	Johnson	Talent
Cornyn	Kyl	Thomas
DeMint	Lott	Thune
DeWine	Lugar	Vitter
Dole	Martinez	Voinovich
Ensign	McConnell	Warner

NAYS—59

Akaka	Dayton	Lincoln
Alexander	Dodd	McCain
Baucus	Domenici	Menendez
Bayh	Dorgan	Mikulski
Bennett	Durbin	Murkowski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (NE)
Bond	Graham	Obama
Boxer	Grassley	Reed
Bunning	Harkin	Reid
Byrd	Inouye	Salazar
Cantwell	Jeffords	Santorum
Carper	Kennedy	Sarbanes
Chafee	Kerry	Schumer
Clinton	Kohl	Shelby
Cochran	Landrieu	Smith
Coleman	Lautenberg	Specter
Conrad	Leahy	Stevens
Craig	Levin	Wyden
Crapo	Lieberman	

NOT VOTING—2

Hatch
Rockefeller

The amendment (No. 3704) was rejected.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. 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 clerk will read the bill for the third time.

Ms. LANDRIEU. Mr. President, I know we are getting ready to go to final passage, but I ask unanimous consent to go to amendment No. 3851, as modified.

The PRESIDING OFFICER. The Senate is not in order.

AMENDMENT NO. 3851, AS MODIFIED

Ms. LANDRIEU. Mr. President, I know we are getting ready to go to final passage. I know it is unanimous consent. But I am asking unanimous consent to bring up amendment No. 3851, which has been cleared on both sides by four committees. It has to do with a definition.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Reserving the right to object, I will not object if the Senator from Louisiana will add to that unanimous consent request that this will be the last amendment considered?

Ms. LANDRIEU. I will be happy to.

The PRESIDING OFFICER. Senators should be informed that this is a second-degree amendment.

Mrs. MURRAY. Mr. President, reserving the right to object, is the amendment that has been sent to the desk the modified amendment?

The PRESIDING OFFICER. Is the amendment modified to be a first-degree amendment?

Mr. ENZI. Mr. President, this is under the jurisdiction of the Education Committee. We have taken a look at it. FEMA just has a different definition that needs to be changed from what other schools have. It clears up some language. It is not any problem.

Mr. REID. Mr. President, we cannot hear what is going on.

The PRESIDING OFFICER. The Senate will be in order.

Is there objection to the amendment as modified? Without objection, it is so ordered.

The amendment (No. 3851), as modified, is as follows:

AMENDMENT NO. 3851, AS MODIFIED

(Purpose: To provide a complete substitute)

On page 165, line 23 after "fiscal year 2006" insert the following:

Provided further, That any charter school, as that term is defined in section 5210 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 722(i)), regardless of whether the facility of such charter school is privately or publicly owned, shall be considered for reimbursement for damages incurred to public schools due to the effects of Hurricane Katrina or Hurricane Rita.

Provided further, That if the facility that houses the charter school is privately owned, then such facility shall reimburse FEMA for any improvements or repairs made to the facility that would not otherwise have been reimbursed by FEMA but for the existence of the charter school, if such charter school vacates such facility before the end of 5 years following completion of construction and approved inspection by a government entity, unless it is replaced by another charter school during that 5-year period.

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

The amendment (No. 3851), as modified, was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

SALMON SPAWNING

Mr. SMITH. Mr. President, last week I proposed an amendment to the supplemental appropriations bill that would provide relief to individuals facing an unfolding economic crisis along the Oregon and California coast.

For the third consecutive year, the number of naturally spawning Klamath River Chinook salmon is expected to fall below the conservation floor called for in the fishery management plan. As a result, the Pacific Fishery Management Council undertook a careful review of the stock status as well as the economic needs of local communities.

After conducting its review, the Council voted to recommend to the Secretary of Commerce the use of an emergency rule to allow for a severely restricted salmon season along 700 miles of the Oregon and California coast.

Last week, Secretary Gutierrez approved the council's recommendation for an emergency rule. While this limited season is helpful, it will not be enough to sustain Oregon's rural, fishery-dependent economies. It is estimated that the impact to Oregon and California coastal communities could exceed \$100 million. Many of the communities affected by these fishery restrictions are still recovering from the devastation caused by the collapse of the timber economy in 1990s.

The funding provided in my amendment would help fishermen and supporting businesses in Oregon weather what will certainly be a very trying year. However, because this crisis is the result of a regulatory action rather than a natural disaster, I have been told that my amendment is not germane to the bill that is before us now. This parliamentary hair-splitting is lost on my constituents.

I would like to engage the Chairman of the Appropriations Committee in a brief colloquy. I realize that we are facing tight budgetary times and numerous disasters, many of which receive assistance under the current bill. Will you agree to work with me to secure funding or reprogram funds to address the pending crisis on the Oregon coast?

Mr. COCHRAN. The Senator is certainly right that these are very difficult budgetary times. Funds for non-defense discretionary programs are particularly constrained, while the demand for those funds has not slackened one bit. Having said that, I appreciate the Senator acquainting me with the challenges facing fishing communities on the Oregon coast, and I will work with him and the subcommittee Chairman SHELBY and try to identify an appropriate federal response for affected communities.

Mr. SMITH. I thank the Chairman. I yield the floor.

AVIAN FLU

Mr. LIEBERMAN. Mr. President, I thank my distinguished colleagues from North Carolina and Kansas, Senators BURR and BROWNBAC, for their commitment to avian flu preparedness

and to putting in place an effective system for the surveillance of wild birds, which is instrumental to our capacity to prepare for the outbreak of an avian flu pandemic. I am happy to support the amendment of my distinguished colleague from North Carolina.

Mr. BURR. Mr. President, my amendment builds upon work Senator LIEBERMAN and Senator BROWNBAC undertook last year in the fiscal year 2006 Defense appropriations bill, which also included the first avian flu supplemental. It enhances our domestic capacity to undertake wild bird surveillance coming into and across the United States by utilizing the expertise of the Smithsonian Institute to support our Federal agencies.

Mr. BROWNBAC. Mr. President, indeed, there is growing concern that wild birds can carry the avian flu virus, which has now spread from Southeast Asia to China, Europe, Africa, and to the Middle East. Wild birds are one of the key vectors for spreading the virus to domestic animal populations or carry it to wild bird markets, where the virus is further propagated. At this time, the virus does not spread easily from birds to humans and there are limited reports of human to human transfer. Importantly, the virus has not yet entered the United States to our knowledge. We must understand how this virus moves to prepare communities in its path.

At the same time we work to develop a vaccine and procure antivirals, we can also track the movement of the virus in wild birds. GAINS can track wild birds in the same way the National Hurricane Center tracks hurricanes. By analyzing, storing, and reporting using a real time computerized data mapping system and interface, we can see the viral strains wild birds carry, where they are carrying the virus along migratory routes, and how the virus is genetically evolving. This will make it possible for us to develop vaccines more quickly using the most recent strain available and will help us warn vulnerable populations in wild bird flight paths should the avian flu strain turn deadly.

Mr. BURR. I agree that avian flu surveillance is critical to our ability to protect public health. Mr. President, I ask Senator LIEBERMAN, is the global program he supported in the fiscal year 2006 appropriations process for international surveillance currently up and running? The Smithsonian Institute and the domestic surveillance program they are working on and his international surveillance program will be important partners. We urge all parties to begin their activities immediately.

Mr. LIEBERMAN. It is. USAID and CDC have partnered with the Wildlife Conservation Society to establish the Wild Bird Global Avian Influenza Network for Surveillance or GAINS. GAINS is a smart and targeted investment in the U.S. Government's fight against avian flu. CDC and USAID are investing \$6 million from fiscal year

2006 avian flu supplemental appropriations to establish GAINS. GAINS comprises 5 million conservation, wild bird, poultry, health, and vaccine experts and builds upon the robust international network of the Wildlife Conservation Society, or WCS, which through partnerships has presence in virtually every key country related to Avian Influenza—56 in all. The Wildlife Conservation Society, founded in 1895 and headquartered at the Bronx Zoo has a long history in the wild bird surveillance field around the world. They were the organization that first diagnosed West Nile virus when it arrived on U.S. shores, and the human avian flu vaccine we are currently working on is partially derived from wild migratory bird samples, WCS wild bird samples collected in Mongolia.

Of course, the GAINS relates to robust sampling of wild birds—alive and dead—in the wild and in captivity, and even in markets, but most importantly GAINS will display the results of sampling on a user-friendly real time computerized data mapping system so that wherever you are in the world, public officials will be able to warn populations at risk and scientists will have a powerful tool to fight this virus.

I am confident that the Smithsonian's domestic efforts will be fully compatible with GAINS.

Mr. BURR. The Smithsonian has agreed to provide the samples and the data it collects to United States agency partners without delay. In turn, we will count on the DOI, USDA, HHS, and any other agencies to negotiate the full coordination and integration of the Smithsonian domestic component, the GAINS network, and any other ongoing effort into a public database. This way we know samples will be stored and shared between governmental and non-governmental organizations and that data will work with additional efforts in the future.

Mr. BROWNBACK. I am glad we agree that we should all work together. We cannot have efforts that are not collaborative and coordinated domestically and internationally. We will build on the GAINS infrastructure by boosting our domestic capacity through the Smithsonian Institute and ensuring all partners work together and share data in a compatible manner using the GAINS system.

Mr. BURR. I understand that Senator Lieberman has an amendment related to GAINS.

Mr. LIEBERMAN. Yes I do. The current GAINS program is underfunded by \$4,000,000 in year one and year two will require an additional \$10,000,000 to be fully functional. Our amendment specifies GAINS as a particular program for CDC to fund in its domestic and global surveillance efforts, which in general is receiving robust funding thanks to your foresight and that of your health subcommittee. Such an effort as we have discussed must include animal surveillance because of its relation to human health.

Mr. BURR. An international avian flu surveillance component is an important investment and I hope HHS and CDC recognize the need to enhance our surveillance capabilities. I encourage the Appropriations Committee and Chairman COCHRAN to give it full consideration.

Mr. LIEBERMAN. Senator BROWNBACK and I thank the Senator from North Carolina for this. I personally thank you Senator BURR for working with us on this important issue, which I always say is the big bird in the room that few people are looking at. It always feels better to wrap our arms around problems on a bipartisan basis. The leadership of the Senator from North Carolina on this issue and in general is noticed and laudable.

Mr. BURR. Mr. President, I thank my colleagues.

Mr. BROWNBACK. I thank my colleagues.

Mr. LIEBERMAN. I thank my colleagues for their commitment to these activities.

CUSTOMS AND BORDER PROTECTION

Mr. LEVIN. I would like to enter into a colloquy with my friend from New Hampshire, Senator GREGG, and my friend from North Dakota, Senator CONRAD, regarding funds that have been included in this bill for customs and border protection, CBP, air and marine interdiction, operations, maintenance, and procurement.

The Northern Border Air Wing, NBAW, initiative was launched by the Department of Homeland Security, DHS, in 2004 to provide air and marine interdiction and enforcement capabilities along the Northern Border. Original plans called for DHS to open five NBAW sites in New York, Washington, North Dakota, Montana, and Michigan.

The New York and Washington NBAW sites have been operational since 2004. Unfortunately, none of the other three sites have yet been stood up, leaving large portions of our Northern Border unpatrolled from the air. In the conference report accompanying the fiscal year 2006 DHS appropriations bill, the conferees noted that these remaining gaps in our air patrol coverage of the northern border should be closed as quickly as possible.

Given that the threat from terrorists, drug traffickers, and others who seek to enter our country illegally has not diminished, I believe an adequate portion of the funds included in this bill for air and marine interdiction, operations, maintenance, and procurement should be used by customs and border protection to complete the remaining assessments, evaluations, and other activities necessary to prepare and equip the Michigan, North Dakota, and Montana NBAW sites with appropriate CBP air and marine assets.

This bill requires that DHS submit an expenditure plan to the appropriations committee before any of the funds may be obligated. I urge DHS to include in their plan the funds necessary to stand up, equip, and begin op-

erations at the three remaining northern border air wing sites in Michigan, North Dakota, and Montana.

Mr. CONRAD. I agree with my friend from Michigan. The fiscal year 2006 DHS appropriations bill included a small amount of funds to begin initial preparations for a NBAW site in my home state of North Dakota, but more funds are needed for the site to become operational. Secretary Chertoff has told us that the establishment of the three additional northern border air wings will be complete in fiscal year 2007.

A small portion of the air and marine interdiction funds in this bill would go a long way toward meeting this deadline and the goal of securing our long and currently porous northern border. I join Senator LEVIN in encouraging the DHS to include funds sufficient to stand up and equip the North Dakota, Michigan, and Montana sites.

Mr. GREGG. My friends from Michigan and North Dakota raise important points. I agree the establishment and equipping of the three remaining northern border air wings is a priority. The northern border has long been neglected compared to the southern border. As my colleagues are aware, funds were appropriated in the fiscal year 2006 Department of Homeland Security Appropriations Act to initiate funding of the third northern border air wing in North Dakota. I am committed to seeing that the establishment of the remaining northern border air wings is accomplished as expeditiously as possible.

EMERALD ASH BORER

Mr. LEVIN. Mr. President, I ask if the chairman of the Appropriations Subcommittee on Agriculture is aware of my amendment regarding the urgent need for additional funding for combating the Emerald Ash Borer, and if he is open to accepting the amendment by unanimous consent.

Mr. BENNETT. I would say to the Senator from Michigan that I am aware of his amendment, but unfortunately cannot support any amendment to the agriculture title of the supplemental appropriations bill which does not have an adequate offset. It is my understanding the amendment Senator LEVIN has introduced with Senators STABENOW, DEWINE, VOINOVICH and DURBIN does not contain any offset for the \$15 million requested.

Mr. LEVIN. The Senator from Utah is correct in that I was not able to offset the costs of the amendment as the funding in that title is very tight. I would ask my friend though if he is aware that there is a need in my State alone of over \$30 million to combat and contain this invasive species that has destroyed virtually all of Southeast Michigan's ash stock?

Mr. BENNETT. I have been advised of the urgent need for funds in the Midwest.

Mr. LEVIN. During consideration of the fiscal year 2006 Agriculture Appropriations Act, Senators STABENOW,

DEWINE and I had a similar amendment seeking additional funds for the Animal and Plant Health Inspection Service at the USDA. We decided not to offer the amendment as we received assurances that the chairman and ranking member of the subcommittee would push for the House approved level of funding of \$14 million. Unfortunately the final bill contained only \$10 million to deal with the Emerald Ash Borer epidemic.

Mr. BENNETT. I say to my friend that we did indeed work with our House counterparts in crafting the final 2006 appropriation, but unfortunately were only able to allocate \$10 million in the end.

Mr. LEVIN. I thank the Senator from Utah for all of his help over the years in seeking funding for this problem. I hope that he and the ranking member would be mindful of the urgent need of Ohio, Indiana and Michigan for funding for Emerald Ash Borer eradication efforts when crafting the fiscal year 2007 Agriculture Appropriations Act over the coming months.

Mr. BENNETT. I tell my friend from Michigan that I will do all I can, in consultation with Members from the affected states and the Department of Agriculture, to craft an appropriations bill which contains adequate funding to combat the Emerald Ash Borer.

Mr. LEVIN. I thank the chairman and know that my colleagues appreciate his support as well.

Ms. STABENOW. I thank my colleague, Senator BENNETT, for his continued work to help Michigan, Ohio, and Indiana battle this invasive pest that has devastated our states. Senator BENNETT worked closely with us last year during consideration of the Agriculture Appropriations bill, and I appreciate his commitment to working with us during the fiscal year 2007 appropriations bill.

Mr. DEWINE. Mr. President, I would like to associate myself with the comments of my friends from Michigan. Ohio is home to more than 3.8 billion ash trees and the Emerald Ash Borer is causing destruction to trees in north-west Ohio and the Columbus area. I would appreciate your help in the future to prevent the spread of the Emerald Ash Borer to southern Ohio.

Mr. VOINOVICH. Mr. President, I thank my colleagues and the chairman of the Appropriations Subcommittee on Agriculture for providing this colloquy. As my colleagues know, the Emerald Ash Borer poses an enormous threat, and I wish to be associated with their remarks. This is important for this Senator from Ohio because nearly 4 billion ash trees are threatened in my State alone. The Ohio Department of Agriculture and the Ohio Department of Natural Resources call the Emerald Ash Borer the most serious forest health issue facing Ohio's forests today. They remain highly concerned and vigilant, but we must provide them with sufficient resources to eradicate this problem. According to the Ohio

Department of Natural Resources, the potential economic impact of EAB to Ohio citizens over the next 10 years could possibly reach \$3 billion. Again, I thank my friend from Michigan for his leadership on this issue, as well as the Senator from Utah, Senator BENNETT, for his indulgence in entering into this colloquy.

Mr. COBURN. Mr. President, in the past week, the Senate has voted to reduce the overall cost of H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, now totaling nearly \$110 billion by a mere \$15 million. I am delighted that President Bush has pledged to veto this bill because Congress has, once again, been unable to resist the temptation to load up a must-pass bill with pork.

I offered several amendments to eliminate nonemergency items in this bill. I appreciate the patience of my colleagues. I am very pleased and encouraged that this body is increasingly willing to depart from our business-as-usual practices.

That is good because the American people are paying attention to this process. In a recent Wall Street Journal/NBC poll, the American people said that ending earmarks should be the No. 1 priority for Congress this session. Thirty-nine percent said that members should be prohibited from "directing federal funds to specific projects benefiting only certain constituents." It is interesting to note that ending earmarks was ranked ahead of immigration reform, which was cited as the No. 1 priority by 32 percent of Americans.

I hope that these results, combined with polls showing a 22-percent approval rating for Congress, will encourage conferees to avoid a confrontation with President Bush over spending. I would hope that when conferees look for items to remove from this bill they take a close look at my amendments that lost by a narrow margin as well as those I withdrew.

I believe that in this time of war and disaster recovery the American people expect us to make hard choices about spending. Taxpayers want us to be serving in a spirit of service and sacrifice, not searching for new ways to raid the public Treasury.

Congress is raiding the Treasury in two ways with this bill. First, many of the items in this bill should be considered in the regular appropriations process and through the regular order. The war on terror is no longer a surprise. We are entering our fifth year of this war. It shouldn't come as a surprise to Congress that we have needs related to this effort. We have also developed a good understanding about many of the priorities in the gulf coast that could have been addressed in the regular budget process.

Congress has also added billions of dollars for items that have no connection to the war on terror and the gulf coast recovery. Again, few of these items are true emergencies. The Amer-

ican people deserve to understand what defines a true emergency. According to the budget resolution for fiscal year 2006 all of the following five criteria must be met to be considered an emergency: necessary, essential, or vital; sudden, quickly coming into being, and not building up over time; an urgent, pressing, and compelling need requiring immediate action; unforeseen, unpredictable, and unanticipated; and not permanent, temporary in nature.

Designating a project as an "emergency" excuses Congress from paying for a project. The result of abusing the "emergency" designation is an even greater emergency. Our Nation's debt is nearly \$8.4 trillion. Each American's share of this debt is \$27,964.86. Our national debt is increasing by an average of \$1.95 billion per day. Social Security, Medicare and the standard of living of future generations of Americans are in jeopardy as a result of decades of fiscal irresponsibility and rationalizations for spending more money today without considering the consequences tomorrow.

The Social Security trustees reported this week the program will exhaust its trust fund and begin running annual cash deficits in 2040. A year ago, that prediction was 2041, effectively meaning 2 years have been lost by a refusal to act. The trustees reported Social Security's unfunded liability is \$13.4 trillion.

Of course, the real problem with Social Security and Medicare is much worse because the Federal Government uses an Enron-style accounting scheme. We habitually borrow or, more accurately, steal money from these trust funds to pay for more spending today.

When the 77 million baby boomers begin to retire in 2011, our Nation will be faced with the greatest economic challenge in our history. If we continue to indulge in earmarks, the gateway drug to spending addictions, we will never address these complex challenges, particularly if we can't resist the urge to abuse the earmark process on a bill designed to address the emergency needs of our troops and displaced people in the gulf coast.

Another reason we must act today to rein in wasteful spending is because our ability to influence world events is diminished by our debt to other nations. We now have the distinction of being the world's largest debtor nation, and this bill will add to that debt. Many serious economists are warning that our excessive borrowing from foreign sources could cause the value of the dollar to collapse, which would lead to a disaster for our economy. It is incredibly shortsighted for this body to sell Treasury bills to countries such as China so we can finance economic development programs and other pet projects while, at the same time, we hope to encourage China to be more aggressive in terms of discouraging Iran from developing nuclear weapons. This is not just a numbers game. The future

vitality of our nation is at stake. We are slowly but surely whittling away our national power and ability to leverage other nations away by our refusal to make hard choices about spending.

Many of the items in this bill are obviously not emergencies, which is why this bill will be vetoed by President Bush if it is sent to him in its current form. Again, I hope conferees do not force the President to take this step. I am confident the President will veto this bill. He understands that it is more important to secure the next generation rather than the next election.

Past Presidents and Congresses have made hard choices during difficult times. Between 1939 and 1942, Congress and FDR cut spending for nondefense programs by 22 percent. In 1950, President Truman and Congress cut non-military spending by 28 percent. I suggest to my colleagues that if we want to be here past 2006, we better do the same.

Still, I agree with my colleagues who say that the President's priorities don't come down from heaven. I suggest, however, that we are all subject to the judgment that comes down from the taxpayers. If we flippantly disregard the President's insistence that we make hard choices, the judgment of the taxpayers will not be kind to any of us.

Families across this country are faced with hard choices every day in order to live within their budget. They have elected us to make hard choices. Our refusal to do this only reinforces the perception that we are disconnected from the priority-setting reality that governs the rest of the country.

It is wrong, for example, for this body to fund pork projects such as grape research in the State of California force the taxpayers in my State and every other State to pay for a so-called emergency project that has been ongoing for the last 46 years and has already received more than \$130 million from the American taxpayer. Where this body sees an emergency the taxpayers often see a series of misplaced priorities.

The State of California received 549 Federal earmarks this year totaling \$733 million. That included \$10 million in Federal resources alone for museums. Is it more important to protect the residents at risk from flooding by the Sacramento River or to fund grape research? Congress is spending over \$3.6 million on a grape research center in California this year. We are spending another \$1 million on a pedestrian walkway project in Calimesa and a half million on pedestrian/bike improvements on Tower Bridge in Sacramento? What is more important for Sacramento? Why can't we prioritize today so future generations are not forced to make even tougher choices between massive tax hikes, drastic cuts to Medicare and Social Security, or the defense of our Nation?

Martin Luther King Jr. once said, "Cowardice asks the question—is it

safe? Expediency asks the question—is it popular? Vanity asks the question—is it popular? But conscience asks the question—is it right?"

I plead with my colleagues. Do what is right. Our Nation is on an unsustainable course, and that course correction must begin today, not when it is too late.

Ms. MIKULSKI. Mr. President, I support our troops and their families. I am behind them 100 percent. They deserve our gratitude, not just with words but with deeds. We must do right by our troops and their families. This strong emergency supplemental appropriations bill helps us do just that. This supplemental also provides needed funds to the victims of the devastating hurricanes that hit our gulf coast last summer.

In this bill we have provided \$15.6 billion to fix or replace equipment that has been damaged during combat operations and to buy additional force protection equipment desperately needed by our brave men and women on the battlefield.

To help protect our troops from deadly improvised explosive devices, IEDs, this bill creates the joint improvised explosive device defeat fund and provides the fund with nearly \$2 billion to develop and field the necessary tactics, equipment, and training to defeat these deadly weapons.

Another way we can support our troops is to make our intentions in Iraq clear to the Iraqis and the international community. To this end, I supported the amendment introduced by Senator BIDEN that prohibits the building of any permanent military bases in Iraq. This will send a clear message to the Iraqi people—we are committed to withdrawing our troops once their mission is accomplished.

To ensure that we do all we can to care for soldiers when they are injured, this bill includes an additional \$1.15 billion for the defense health program. This money ensures that we can continue to provide world-class services including rapid aero-medical evacuation to our most severely wounded soldiers.

The veterans health care system is stretched to the limit at a time when more and more veterans are turning to VA. That is why I cosponsored an amendment by Senator AKAKA to increase veterans funding by \$430 million to meet the health care needs of soldiers returning from Iraq and Afghanistan and other war veterans.

The rank-and-file employees of the Federal Government are the unsung heroes of this country. Unfortunately, they are often required to work in sub-standard or often hazardous conditions. It was recently reported that employees within this very building are forced to enter tunnels full of asbestos and on the verge of collapse. That is why I cosponsored an amendment by Senator ALLARD that provides over \$27 million for critical emergency structural repairs to the Capitol Complex utilities

tunnels. I will continue to fight for our Federal workforce to ensure they have safe working environments and proper safety equipment.

We know that nearly 40 percent of the soldiers deployed today in Iraq and Afghanistan are citizen soldiers who come from the National Guard and Reserves. More than half of these will suffer a loss of income when they are mobilized, because their military pay is less than the pay from their civilian job.

Many patriotic employers and State governments eliminate this pay gap by continuing to pay them the difference between their civilian and military pay. The reservist pay security amendment, which I worked on with Senator DURBIN, will ensure that the U.S. Government also makes up for this pay gap for Federal employees who are activated in the Guard and Reserves.

Mr. President, last year, we provided emergency relief for the victims of the horrible tsunami in Asia. Today with this bill, we are providing over \$27 billion in support to our own citizens so badly hurt by the devastating hurricanes that hit the gulf coast last year. This money will not only help with the rebuilding of New Orleans, but will provide a host of economic incentives and subsidies to help the people of Louisiana, Mississippi, Texas, and Alabama get back to work and rebuild their lives following the destruction of Hurricanes Katrina and Rita. Additionally, this bill provides emergency funding to help immediately rebuild the levees and install flood control equipment that will help prevent another terrible tragedy from occurring when this year's hurricane season arrives in less than 4 weeks.

After 9/11 we realized that our borders were not secure. Since then, we have waged the war on terror and made great strides at protecting our homeland. We have made significant investments in law enforcement and security; however, the infrastructure that supports our border security has been allowed to crumble. To counter this, I supported an amendment proposed by Senator GREGG which adds \$2 billion for border security initiatives to include buying additional vehicles, airplanes, helicopters, and ships. It also builds state of the art facilities for use in ensuring the security of our borders.

We have all seen the devastating effects of natural disasters and terrorism and are working hard to prevent future occurrences from affecting our Nation and the world. We have recently learned of another potential threat: a worldwide flu epidemic that could cost millions of lives if we are unprepared. In response to this threat, this bill provides \$2.3 billion to prepare for and respond to an influenza pandemic. Making this money available now will help expand the domestic production capacity of influenza vaccine, and will help develop and stockpile the right vaccines, antivirals, and other medical supplies necessary to protect and preserve lives in the event of an outbreak.

Because it is just as important to support our communities at home as it is to support our troops in the field, I will continue to fight for responsible military budgets. For that reason, I joined Senator BYRD's call for the President to fund our operations in Iraq and Afghanistan through the regular budget and appropriations process. After 4 years in Afghanistan and 3 years in Iraq, we should not be funding these operations as if they were surprise emergencies.

Mr. President, this bill is a Federal investment in supporting our troops and their families and providing relief for those impacted by the devastating hurricanes.

We support our troops by getting them the best equipment and the best protection we can provide. We support them by making it easier for our citizen soldiers in the National Guard and Reserves to serve their country. And we support them by ensuring they are cared for with the best possible medical system when they are injured or ill.

With this bill, we are also helping our neighbors rebuild their homes, their communities, and their lives, and I am proud to give it my support.

Mr. AKAKA. Mr. President, today I will cast my vote in favor of H.R. 4939, the fiscal year 2006 supplemental appropriations bill. This bill takes the important step of supporting disaster relief efforts and helps fund our ongoing military and intelligence operations in Iraq and Afghanistan. I support the intent of this bill, but I have some significant reservations regarding the growing cost of the war and how it is being funded.

In supporting our troops, I believe we must do what is necessary to ensure that the men and women risking their lives for our country have everything they need to carry out their mission. I do not support the administration's policy of funding the war in Iraq through emergency supplemental bills. According to a Congressional Budget Office report, in 2005 the Department of Defense obligated \$83.6 billion—nearly \$7 billion per month—for the global war on terror, much of which was appropriated through emergency supplemental funding. This is a fiscally irresponsible approach that masks the true magnitude of the war's costs. Therefore, I voted in favor of an amendment offered by my colleagues, Senators BYRD and CARPER, which expresses the sense of the Senate that any request for funds after fiscal year 2007 for military operations in Iraq and Afghanistan should be included in the President's annual budget. I was encouraged that the amendment passed with a vote of 94 to 0. I urge the administration to heed the Senate's resolution and commit to making the costs of the Iraq war more transparent.

I also believe that the administration must be held accountable for progress in the Iraq war. As a member of the Senate Armed Services Committee and

ranking minority member of the Readiness Subcommittee, I am committed to finding a way to bring our soldiers home as soon as possible. I do not believe that we should leave before the Iraqi people are equipped with the tools necessary to support a stable democratic society, but we must ensure that progress is being made. Toward that end, I support the plan outlined in the amendment submitted by my colleague Senator CARL LEVIN, ranking member of the Senate Committee on Armed Services, which establishes clear reporting requirements regarding the political situation in Iraq. According to this plan, the President is required to submit a report to Congress every 30 days outlining Iraq's progress toward the formation of a national unity government. The plan also requires the administration to inform Iraqi political, religious and tribal leaders that meeting their own deadlines with regards to amending the Iraqi Constitution is a condition for the continued presence of a U.S. military force in Iraq. While the Senate did not consider Senator LEVIN's amendment due to germaneness, this is an important issue that Congress must address.

Notwithstanding my concerns regarding the continued use of emergency supplementals to fund the conflict in Iraq, there are a number of provisions in this bill that I wholeheartedly support. In particular, I was pleased to see that we did not forget our Nation's veterans during consideration of the emergency supplemental. Our returning soldiers and sailors have earned the right to the best health care that this Nation can provide, and I believe we should strive to carry out this obligation to our servicemembers. With the backing of my Senate colleagues, I successfully passed an amendment to the emergency supplemental adding \$430 million to the Department of Veterans Affairs, VA. These funds will be specifically used to supplement direct health care, mental health care, and prosthetics services at VA. As the ranking member on the Veterans Affairs Committee, I am pleased that the Senate took this important step of supporting our Nation's veterans.

Another appropriate use of the emergency supplemental was appropriations for disaster relief. Our Nation has been hit hard by many significant natural disasters that could not have been planned for in advance. I believe that we, as Government leaders, should continue to provide assistance to help those devastated by natural disasters including the severe flooding that deluged Hawaii earlier this year.

On May 2, 2006, President George W. Bush declared that a major disaster exists in the State of Hawaii that Federal funds to help the people and communities recover. I am pleased that the Senate Appropriations Committee included \$33.5 million in the emergency supplemental for disaster assistance in Kauai and Windward Oahu, and \$6 mil-

lion for sugarcane growers in the State whose crops were destroyed by the floods earlier this spring.

In March, I introduced S. 2444, the Dam Rehabilitation and Repair Act of 2006. This bill would amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams. I also supported Senator INOUE's efforts to include an amendment to H.R. 3499 to provide \$1.4 million to assess the security and safety of critical reservoirs and dams in Hawaii, including monitoring dam structures. I am extremely disappointed that this amendment did not pass because the failure of Kaloko Dam on Kauai led to the severe flooding and loss of life. I am hopeful that my colleagues will recognize the importance of addressing the dam problem for the sake of Hawaii and our Nation and that my bill will receive floor consideration.

Senator INOUE also introduced a timely amendment that provides \$1 million for environmental monitoring of waters in and around Hawaii. In March of this year, I had the opportunity to visit the hardest hit areas of our State and meet victims, emergency responders, and State officials. To date, the situation for many of our residents remains very grave. With hundreds of homes and businesses damaged or destroyed, critical infrastructure crippled, and many hours spent engaged in search and rescue activities, the resources of our State have been severely strained. I supported this amendment, and I am encouraged that this amendment passed. It is clear that Hawaii will not be able to fully recover without substantial Federal assistance.

Mr. President, I wish to reiterate that a clear distinction needs to be made for true emergencies and natural disasters such as Hurricane Katrina and the floods in Hawaii, which could not have been anticipated.

It is fiscally irresponsible for the current administration to continue to treat this war as an emergency in order to hide the true cost of the war and circumvent the normal budgeting and oversight process. If the current administration continues to refuse to make hard choices and insist on a policy of funding the war through emergency appropriations, succeeding generations of Americans will face even more difficult choices.

Mr. DODD. Mr. President, I had intended to offer an amendment, No. 3755, to this Emergency Supplemental Appropriations bill to provide for full funding of the Help America Vote Act. However, once cloture was invoked, my amendment would have been ruled non-germane and consequently, I will not call it up.

But the parliamentary circumstances of this bill do not change the fact that we have reached a critical juncture in the ability of States to be prepared for Federal elections this November.

The amendment I intended to offer would have ensured that States have

the resources necessary to conduct fair and accurate elections this fall. It would have fulfilled the promise made by Congress to be a full partner in the funding of Federal election reform by providing full funding for payments to State governments to meet the election reform requirements mandated by Congress over 3 years ago under the Help America Vote Act, HAVA.

HAVA was overwhelmingly enacted by Congress and signed into law by President Bush on October 29, 2002.

HAVA mandates that by the Federal elections this year, States must implement certain minimum requirements for the administration of Federal elections. These requirements were phased in over roughly a 2-year period with the final requirements mandated to be in place by this year.

To ensure that the States could meet these requirements, Congress authorized nearly \$4 billion to pay for 95 percent of the costs of HAVA implementation. In order to receive Federal funding, States had to provide 5 percent matching funds.

All 50 States, the District of Columbia, and the territories have raised their 5 percent matching funds under this Federal-State partnership.

Only the Federal Government is coming up short on its end of the deal. To date, Congress has appropriated only \$3.1 billion of the nearly \$4 billion it promised the States in funding. That means the States are short nearly \$800 million in promised Federal funds needed to implement these reforms.

With 2 Federal primary elections already over and with 10 upcoming primaries scheduled in May, there is precious little time left to get these needed funds to the States in time to ensure that the Federal elections this year are conducted in compliance with Federal law.

This amendment would provide full funding for HAVA. Arguably, this is the last opportunity we may have to ensure that the States have the promised funds in time to meet the 2006 deadlines for reform.

The amendment would fund the balance of the requirement payments to States under section 251 of HAVA in the amount of \$724 million. It would also make up the shortfall of \$74 million in funding to date for disability access grants and protection and advocacy payments to serve the voting needs of persons with disabilities.

It is simply unconscionable that Congress has not kept up its end of this funding bargain. As Thomas Paine observed, the right to vote for representatives is the primary right by which other rights are protected. That statement is still true today. The right to vote in a democracy is the fundamental right on which all others are based.

As we witnessed in the Presidential election debacle of 2000, the confidence of the American public in our system of elections was shattered after witnessing hanging chads, confusing ballots, missing names on voter lists, mal-

functioning machines, and different standards to recount ballots.

Congress responded with the first ever comprehensive requirements for the administration of Federal elections.

The HAVA requirements effective for the 2004 Federal elections provided that all States offer provisional ballots to any voter challenged, for any reason, at the polls as ineligible to vote. Because of the HAVA requirement, 2 million more ballots were counted in the 2004 elections than would have otherwise been counted.

In 2004, States also had to have in place measures designed to ensure the identity of certain first-time voters who registered by mail. States had to ensure voter education by posting certain voter information in the polling place.

But the most far-reaching, and arguably most expensive reforms, must be in place for the Federal elections this year. Effective January 1, 2006, all voting systems used in Federal elections must meet the following minimum voting system standards:

Provide all voters with the right to verify their ballot, before it is cast and counted, to ensure that it accurately reflects his or her choices;

Provide a permanent paper record with a manual audit capacity, which can be used as an official record in the case of a recount;

Provide full accessibility to persons with disabilities, including the blind and visually impaired, allowing for the same privacy and independence as other voters;

Provide alternative language accessibility to language minorities, consistent with the requirements under the Voting Rights Act;

Meet current machine error rates; and
Establish a standard for defining what constitutes a vote and what will be counted as a vote.

In the aftermath of the November 2000 election, there were allegations that voter registration lists contained numerous irregularities and errors, including multiple registrations and the names of deceased individuals. Registration lists were also subject to questionable purges by State and local governments, conducted in a manner inconsistent with the National Voter Registration Act.

HAVA addressed those concerns with a balanced response by requiring each State to implement a computerized voter registration list for use as the official list of registered voters. For many, this requirement is the single most important reform for ensuring the accuracy and integrity of elections.

But it is a significant, and expensive, task when you consider there were more than 142 million registered voters in the United States in 2004.

Depending upon the data used, that number represents between 65 percent to 85 percent of the total eligible voters. With more than 15 percent of Americans moving every year, it is crucial that State registration lists remain current and accurate in order to ensure the public's confidence in the outcome of Federal elections.

The 2006 reforms are absolutely critical to the successful implementation

of HAVA nationwide and to achieving our twin goals of making it easier to vote and harder to defraud the system.

This amendment that I filed to this bill is supported by a broad coalition of organizations, lead by the Leadership Conference on Civil Rights and the National Association of Secretaries of State, representing the civil rights and voting rights communities, disabilities groups, State and local governments and election officials.

The LCCR/NASS letter, dated April 20, 2006, notes, and I quote:

Without the full federal funding, state and local governments will encounter serious fiscal shortfalls and will not be able to afford complete implementation of important HAVA mandates.

I will ask that this letter appear in the record following my remarks.

I am grateful to the LCCR and NASS for their continuing leadership on this issue and for their support of full funding of the HAVA requirements. It would have been my preference that 100 percent of the HAVA costs be covered by the Federal Government, but I agreed to a 95 to 5 split to ensure that the States became vested in reform. All of the States and the District of Columbia and the territories are vested—they have met their required 5-percent match. Only the Federal Government appears to be less than committed to reform.

Unless and until we can assure the American public that we have done all that we can to ensure the accuracy and access to the ballot box for all eligible voters, there will be a cloud hanging over the final results of any given Federal election. That is not productive for democracy and undermines the very authority of our system of elected government.

Congress enacted HAVA in response to the crisis in confidence of the American electorate following the 2000 Presidential elections. We promised the States we would be a full partner in funding those reforms.

To help restore the public's confidence in the results of our Federal elections, Congress intended that HAVA ensure that every eligible American voter has an equal opportunity to cast a vote and have that vote counted.

Without the promised funding, Congress has created an unfunded mandate and State governments have indicated they will not be able to fully implement the requirements on time. This amendment would have ensured that the minimum Federal requirements would be implemented on time nationwide.

Since Congress mandated that these requirements be effective by January 1, 2006, it is critical that Congress now provide these funds no later than fiscal year 2006 in order to ensure that the statutory requirements are met.

It is past time to live up to our promise. While my amendment may not be in order to this bill, I am serving notice that I will continue to look for ways to ensure that Congress makes

good on its promise to be a full partner in funding election reform.

I ask unanimous consent that the before-mentioned letter be printed in the RECORD.

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

APRIL 20, 2006.

MAKE ELECTION REFORM A REALITY—SUPPORT IMPLEMENTATION AND FULL FUNDING FOR HAVA

DEAR SENATORS: We, the undersigned organizations, urge you to support full funding for the Help America Vote Act of 2002 (HAVA) and include the remaining \$798 million of authorized funding in the upcoming Emergency Supplemental legislation. Of that amount, \$724 million is for the federally-mandated processes and equipment that state and local governments must have in place for federal elections in 2006 and \$74 million is for assisting state and local governments in making all polling places accessible. It is imperative that the states and localities receive all of the funding they were promised so they can fully implement these important requirements of HAVA.

State and local governments have worked hard on these reforms such as improving disability access to polling places, updating voting equipment, implementing new provisional balloting procedures, developing and implementing a new statewide voter registration database, training poll workers and educating voters on new procedures and new equipment. State and local election officials have always had a difficult struggle when competing for the funding necessary to effectively administer elections and they were counting on the funding promised by Congress to ensure that all the new federal mandates were implemented effectively.

To help state and local governments pay for these reforms, HAVA authorized \$3.9 billion over three fiscal years. Between FY03 and FY04, it was clear that Congress saw the importance of fully funding HAVA and provided \$3 billion of the \$3.9 billion for HAVA implementation. Unfortunately, in FY 05 and FY 06 no federal funds were appropriated for states to implement the HAVA requirements.

State officials incorporated the federal amounts Congress promised when developing their required HAVA budgets and plans. Without the full federal funding, state and local governments will encounter serious fiscal shortfalls and will not be able to afford complete implementation of important HAVA mandates. According to a state survey, lack of federal funding for HAVA implementation will result in many states scaling back their voter and poll worker education initiatives and on voting equipment purchase plans, all of which are vital components to making every vote count in America.

We are thankful that you have seen the importance of funding the work of the Election Assistance Commission. States, localities and civic organizations can utilize the work products of the EAC to effectively implement the requirements of HAVA i.e., the voting system standards, the statewide database guidance, and the studies on provisional voting, voter education, poll worker training, and voter fraud and voter intimidation.

We thank you for your support of funding for the Help America Vote Act, and we look forward to working with you on this critical issue. Should you have any questions, please contact Leslie Reynolds of the National Association of Secretaries of State or Rob Randhava of the Leadership Conference on

Civil Rights, or any of the individual organizations listed below.

Sincerely,

ORGANIZATIONS REPRESENTING STATE AND LOCAL ELECTION OFFICIALS

International Association of Clerks, Recorders, Election Officials and Treasurers.

National Association of Counties.

National Association of Election Officials.

National Association of Secretaries of State.

National Association of State Election Directors.

National Conference of State Legislatures.

CIVIL AND DISABILITY RIGHTS ORGANIZATIONS

Alliance for Retired Americans.

American Association of People with Disabilities.

Asian American Legal Defense and Education Fund.

Asian Pacific American Labor Alliance.

Brennan Center for Justice.

Common Cause.

Demos: A Network for Ideas & Action.

FairVote.

Leadership Conference on Civil Rights.

League of Women Voters of the United States.

Mexican American Legal Defense and Educational Fund (MALDEF).

National Association for the Advancement of Colored People (NAACP).

National Disability Rights Network.

Paralyzed Veterans of America.

People For the America Way.

The Arc of the United States.

United Auto Workers.

United Cerebral Palsy.

U.S.

PIRG.

Mr. SESSIONS. Mr. President, first, let me acknowledge the work of Chairman COCHRAN, Senator SHELBY, and the Appropriations Committee in crafting this bill.

I would also like to commend Dr. COBURN, Senator MCCAIN, Senator ENSIGN, and so many a number of my colleagues who have been out on the floor discussing the need for fiscal restraint.

As much good as there is in this bill, and it is mostly good, I will be voting against it.

We must stop the practice of using emergency spending designations to meet needs that can be met in the normal budget process.

This supplemental has some important provisions in it related to the war on terror and the Hurricane Katrina recovery.

For example, in relation to the war on terror, \$10.2 billion is allocated for the Department of Defense's military personnel; \$39 billion is allocated for operation and maintenance accounts in support of Operation Iraqi Freedom and Operation Enduring Freedom; \$15 billion for procurement for various accounts; and \$8 billion for various other defense-related expenses.

Other war related expenditures: \$82 million for the FBI operations in Iraq and Afghanistan, \$5 million for the DEA's Intelligence Program, and \$4 million for ATF's costs in Iraq.

These are all important programs that should be funded to help fight terrorists abroad.

The bill provides needed funds for Hurricane Katrina.

It provides \$2 billion for border security, fully offset, which was included in Senator GREGG's amendment.

That being said, there are a number of items in this bill that do not belong in an emergency supplemental appropriations bill.

Many of these are very important projects that have merit.

Many of these programs are worthy of Federal funding, and, when the regular appropriations season gets underway, I will work to see if there is a way we can fund them.

But the question before us today is not whether they have merit because undoubtedly most do.

The question is not even whether they should receive Federal funding.

Here is the question we must ask with respect to each of the needs that are being funded in this bill: Are they emergencies?

The Senate version of the appropriations supplemental bill is \$106.49 billion, over \$14 billion more than the President's request of \$92.22 billion.

Because these are designated as "emergency funds," they are not factored into the budget.

As far as Washington is concerned, they "don't count."

But they do count.

There is no magic pot of money that can be tapped for emergency needs.

This is straight deficit spending.

There are times when emergency spending is justified, but if we abuse it, we might as well not even have a budget.

What is emergency spending?

The emergency appropriations process is set up to be an exception to the normal appropriations cycle so that money can be spent for unexpected occurrences that come up throughout the year, such as additional war costs or unexpected disasters.

This money is not factored into the regular budget.

The other body exercised fiscal restraint when they took up the supplemental bill and actually managed to bring the bill's top line number down from the President's request to \$91.95 billion.

However, during the Senate markup, the bill expanded rapidly.

According to the National Journal, money was added at a rate of more than \$80 million per minute during the 2-hour markup.

Of course, it is not important how fast the money was added or how much is in the bill.

The only things that matter are:

Are these meritorious programs?

Are they Federal responsibilities?

Are they emergencies?

Senator GREGG, a distinguished member of the Appropriations Committee and my chairman on the Budget Committee, wrote a piece in the Wall Street Journal on April 18 entitled "The Safety Valve Has Become a Fire Hose."

The piece gives an excellent explanation of the problem with abusing the emergency spending process.

While Senator GREGG and I disagree with regard to 2-year budgeting, we have no disagreement on the proposal he outlines in his article, which is 1-year budgeting, which means, let's live under the budget we have now and have a sequester if we exceed it.

In the piece, Senator GREGG states: there are two sets of books, and [only] one is subject to the budget controls.

Adding superfluous spending to the emergency supplemental is a way to cheat the system and get around having to actually pay for the money we spend.

Here are a few of the most egregious provisions in the bill:

First, some of the funds in this bill are spent as far out as fiscal year 2010 and beyond.

Money being spent 5 years from now is not an emergency, and can be allocated and paid for through the regular budget process each year.

If we need money to start these projects, we can give money for the first year. But all other money should be subject to the oversight of an authorizing committee and the regular budget process.

Secondly, \$594 million allocated for the Federal Highway Administration to go to projects on "the current FHWA ER backlog table," which lists storms back to 1999.

Our budget specifically outlines the criteria for emergency spending. It is as follows:

- (A) necessary, essential, or vital (not merely useful or beneficial);
- (B) sudden, quickly coming into being, and not building up over time;
- (C) an urgent, pressing, and compelling need requiring immediate action;
- (D) subject to paragraph (2), unforeseen, unpredictable, and unanticipated; and
- (E) not permanent, temporary in nature.

If funds are in fact needed to meet needs from a hurricane in 1999 or an ice storm in 2001, that should have been reasonably foreseen in 2005, when we were drawing up this year's budget.

The backlogged highway repairs for these storms could have been paid for through the regular appropriations process or the \$286 billion transportation bill that passed last year.

Emergency supplementals are for unanticipated costs, not costs anticipated 5 years ago.

Emergency spending should be an exception to the appropriations process—not the rule.

There are ways to pay for emergencies, and there are ways to pay for past emergencies.

The items on this chart that predate the last fiscal year are not emergencies and should not be treated as such in the appropriations process.

They should be paid for, just like the relief efforts on all other past emergencies.

According to National Taxpayers Union President John Berthoud, since 1996 the Federal Government has spent over \$450 billion under the "emergency" designation—an extra \$1,500 for every person in America.

Nearly all of our 50 States maintain emergency, contingency, reserve, or "rainy day" funds to help cover unanticipated spending needs. This would not only help to smooth out spikes in deficit spending but also help to prevent politicians from taking advantage of urgent situations to grow other Government programs.

We need to better prepare for these type expenses, like our States do.

The President in the Statement of Administration Policy on this bill drew a clear line in the sand. Let me read from the SAP:

However, the Senate reported bill substantially exceeds the President's request, primarily for items that are unrelated to the GWOT and hurricane response. The Administration is seriously concerned with the overall funding level and the numerous unrequested items included in the Senate bill that are unrelated to the war or emergency hurricane relief needs. The final version of the legislation must remain focused on addressing urgent national priorities while maintaining fiscal discipline.

Accordingly, if the President is ultimately presented a bill that provides more than \$92.2 billion, exclusive of funding for the President's plan to address pandemic influenza, he will veto the bill.

The statement could not be clearer.

The day after he sent up the SAP, I sent a letter to the President, which was signed by 35 other Senators, committing to sustain any veto of this bill which violates the principles outlined in the SAP.

I have every confidence that our congressional leadership and our President, and their ability, working with the distinguished chairman of the Appropriations Committee, can find a way to make a good bill fit within the numbers outlined by the President.

This supplemental debate highlights a larger issue.

We need budget process reform.

We need a line-item veto. Senator FRIST's bill, S. 2381, Provides that rescissions packages submitted by the President shall be treated with fast-track authority. But this bill is just the beginning.

We need to reform Congressional Budget Office scoring in the following ways:

Dynamic scoring. Senator ENSIGN's bill, S. 287, addresses this issue. Changes in tax law will be scored to take into account real-life effects on the economy.

Tax/spending parity. CBO scores should treat tax expirations and spending expirations the same.

Long-term scoring. We should require CBO scores to have more detailed estimates for long-term costs of authorizations and direct spending.

Database of authorizations. We should require CBO to produce a database with a comprehensive catalog of all authorized spending, user-friendly, searchable and sortable by expiration date and category, and total authorized amounts, appropriated amounts. Database should be available online, searchable, sortable, and provide overall total amounts.

We also ought to move to a 2-year budget.

Senator DOMENICI has been spearheading this issue. His bill, S. 877, is an excellent bill. Under his bill, all budgeting and appropriating occurs in first year of a Congress. The second session focuses on oversight.

Database for Federal grantees. We should require the creation of a database of Federal grantees so taxpayers can log on and find out who is spending their money and how.

Government shutdown protection. This provision would provide that if appropriations bills are not enacted by the beginning of the fiscal year, programs continue at previous year's level.

Spending firewall. We should create four firewalled categories of Federal spending: defense, international, domestic, and homeland, which would be binding and in the budget. This would ensure that security needs would be met and could not be raided during the appropriations process to pay for social spending.

Pay-go for emergency spending. Automatic across-the-board reduction in spending for emergencies. Provide that emergency spending automatically triggers an across-the-board rescission in all spending. Senator GREGG mentioned a program like this in his Wall Street Journal piece.

Mutiyear caps. We should provide that 302(a) discretionary caps carry over for the life of a budget resolution, including the ability for the Appropriations Committee to issue 302(b) suballocations. Currently, if we have no budget, we have a top-line discretionary cap but no way to enforce it. We should provide a mechanism for the Appropriations chairman to issue suballocations in the event that a budget is not passed.

Commission on Accountability and Review of Federal Agencies. Senator BROWNBACK's bill, S. 1155, takes the concept of BRAC and applies it to wasteful domestic spending programs.

Efficiencies. We should allow up to 2 percent of any Department to be transferred to pay down the national debt if efficiencies are found. The current system requires bureaucrats to be inefficient. We give them a big pot of money and say: You must spend this. We should encourage, not discourage, frugality.

Entitlement commission. We should provide for a commission to review entitlements, provide recommendations for reform, and provide fast-track consideration for reform proposals.

Earmark reform. Finally, we need to finish the process we started on the lobbying reform package, which is earmark reform. Senators MCCAIN and LOTT have led on this important issue.

I look forward to consideration of budget process reform later this year.

Mr. FEINGOLD. Mr. President, I am extremely disappointed that the Senate did not get the chance to vote on my amendment to strengthen the oversight and monitoring of over \$1.6 billion included in this supplemental for

Iraq reconstruction. This amendment, designed to extend the oversight of the Special Inspector General for Iraq, SIGIR, over reconstruction funding in the supplemental, would have helped the SIGIR continue its valuable work in ensuring that U.S. taxpayer dollars are being used efficiently and effectively.

We should not be spending money on Iraqi reconstruction without ensuring there is appropriate oversight and auditing. My amendment would have strengthened the capabilities of the Special IG to monitor, audit, and inspect funds made available for assistance for Iraq in both the Iraq Relief and Reconstruction Fund, IRRF, and in other important accounts. It is frankly baffling to me that anyone would oppose this amendment being included in the supplemental.

As we continue to pour tens of billions of dollars in to Iraq, I believe that we must not lose oversight of U.S. taxpayer dollars. American taxpayers deserve to know where their money is going in this costly war and that it is being used effectively and efficiently and ending up in the right hands.

The Iraq IG's work to date has been extremely valuable to the U.S. Government and to Congress. The Iraq IG has now completed 55 audit reports, issued 165 recommendations for program improvement, and has seized \$13 million in assets. In its latest report, released over the weekend, the Iraq IG indicated that it has completed 29 audits and released 58 recommendations for program improvement in this quarter alone. Overall, the SIGIR estimates that its operations have resulted in saving \$24 million. Throughout 2005, the Iraq IG provided aggressive oversight to prevent waste, fraud, and abuse in the at-times lethal operating environment in Iraq. Its emphasis on real-time auditing—where guidance is provided immediately to management authorities upon the discovery of a need for change—provides for independent assessments while effecting rapid improvements.

In its January report to Congress, the SIGIR concluded that massive unforeseen security costs, administrative overhead, and waste have crippled original reconstruction strategies and have prevented the completion of up to half of the work originally called for in critical sectors such as water, power, and electricity. The Iraq IG's work has resulted in the arrest of five individuals who were defrauding the U.S. Government, and it has shed light on millions of dollars of waste. It is this kind of investigation and reporting that helps shape the direction of reconstruction funding and ensures that the money is being used and allocated as transparently and effectively as possible.

Mr. President, I originally drafted legislation to create the Special Inspector General for Iraq, known as SIGIR, in order to ensure that there is critical oversight of the Iraq Relief and

Reconstruction Fund, IRRF, allocated for Iraq reconstruction projects. I believed then, and I believe now, that it is crucial that we have an effective oversight capability over American taxpayer dollars spent in Iraq. Last year, I fought to extend the life of this office, which has been recognized by the Department of State and Defense as a valuable and necessary office. I do not intend to let this week's setback prevent me from pushing for continued transparency and accountability in the administration's policies in Iraq.

Mr. SALAZAR. Mr. President, over the March recess, I joined the leaders of the Senate Armed Services Committee, Senator JOHN WARNER of Virginia and Senator CARL LEVIN of Michigan, on a trip to Iraq to hear the on-the-ground perspective of our military leaders, our troops in the field, and Iraqi officials. I returned to the United States as always overwhelmed by my pride and admiration for our service men and women, who continue to work with commitment and professionalism even in the most difficult circumstances. I cast my vote in support of this supplemental package before us because I am completely committed to providing our men and women in uniform with the support they need to continue their excellent work. Toward that end, I am very pleased that an amendment I authored calling for regular reports on the Pentagon's efforts to train our troops in methods of detecting and defeating improvised explosive devices has been added to this bill.

I also cast this vote today because when it comes to funding our service men and women, right now this supplemental is the only game in town. And because the administration refuses, year after year, to incorporate the costs of ongoing operations in Iraq into the regular budget, we have no choice but to fund these efforts through these emergency supplementals—essentially putting hundreds of billions on our national tab. The Senate voted overwhelmingly in support of Senator BYRD's amendment urging the administration to stop these irresponsible budget games. I hope the President heeds that message.

In addition to reaffirming my admiration for our military, my recent trip to Iraq also gave me a deeper understanding of the importance of success in Iraq and the truly daunting nature of the challenges ahead.

In addition to the extremely serious fiscal issues confronting us, we have the even more serious policy issue to consider—how should U.S. policy proceed in Iraq?

A failed Iraqi state would threaten our national interests, destabilizing an already volatile region and creating a lasting haven for terrorists. Our national security imperatives mandate our commitment to Iraq's success.

Success in Iraq is dependent on several factors: controlling violence, creating a stable government of national unity, delivering basic services and the

promise of economic development to the Iraqi people, and establishing strong and supportive relations between Iraq and its neighbors in the region. If any of these pillars are missing, Iraq's future becomes uncertain and unstable.

America can help, but ultimately the Iraqis must achieve these goals on their own. The Iraqi people and Iraqi security forces have made significant strides, but much more remains before Iraq can govern and protect Iraqis. And Iraq's neighbors, who know the region best and will suffer most from a failed state in their midst, must step up to the plate to help end the political deadlock in Iraq.

We all recognize that U.S. forces cannot and should not remain in Iraq indefinitely. The U.S. military presence in Iraq should depend upon Iraqi leaders promptly making the compromises necessary to achieve the broad-based, sustainable, political settlement necessary to form a government of national unity and defeat the insurgency. We need partners within Iraq and outside its borders who are committed to stability and sharing power in order to achieve the mission of a truly democratic Iraq, and to share in that success with Iraq's people.

We also need to ensure that the magnitude of the challenge before us in Iraq does not distract all our attention from the vitally important, ongoing mission in Afghanistan. This bill also provides much needed support for that mission. We have made tremendous progress, working with the Afghan people, in helping to turn Afghanistan from a state sponsor of terrorism to a stable, responsible member of the international community. But our work is by no means complete, and the American troops and Afghani leaders I met with in Kabul just weeks ago underscored how important it is that we continue our strong support for the stabilizing mission.

This bill also provides support for the communities devastated by last year's hurricane season. I am afraid that, thus far, the story of the Government's response to Katrina has been a story of failure not only in the preparations for the storm and in the midst of the crisis but also in the recovery effort. Too many promises have not been kept, and too many American families continue to live in an atmosphere of uncertainty. The provisions in this bill will help, but our commitment does not end here. Congress needs to make sure that the gulf region has the necessary resources to recover from last year's hurricanes and respond to future storms, but it must also make sure that the administration has fixed the incompetence at FEMA and DHS which disturbed so many Americans. I look forward to continuing to work on these important issues in the upcoming months.

Over the past 6 years, Colorado has suffered from ongoing natural disasters including drought. Unfortunately,

many areas in Colorado continue to suffer from ongoing extreme weather conditions including drought, hail, and frost. In particular, Colorado wheat producers are estimating that this will be the fifth below-average wheat crop in 6 years.

In addition, many Colorado farmers and ranchers are suffering from economic losses due to continually rising gas prices. And what is true in Colorado is true in many other States across the country. That is why I am an original cosponsor of Senator CONRAD's emergency agriculture disaster assistance package, and I am so pleased that it was included as part of this supplemental bill. Toward that end, I especially thank Senators CONRAD and COCHRAN, who worked very hard on these important provisions. I am so pleased that the Senate has voted to provide immediate assistance to producers across the country who have been devastated by a variety of natural disasters.

While, overall, we are lucky in Colorado that this has been a better year for many of our farmers and ranchers who have suffered from continuing natural disasters over the past several years, many producers in southern and eastern Colorado have been hit by drought conditions once again.

It has been downhill for the 2005 Colorado winter wheat crop since last May. In fact, estimates show that it will be the fifth below-average winter wheat crop in 6 years—with potential losses to producers of over \$60 million.

In addition, increasing gas prices have hit our rural communities hard, making it virtually impossible for many producers to cover the unexpected additional costs. During harvest, agricultural producers are some of the largest fuel consumers in the United States and producers are facing enormous fuel costs. Farm fuel has increased by 79 percent from \$1.40 per gallon in September of 2004 to around \$2.60 per gallon in September 2005. Colorado wheat producers have told me that it would take a 40-bushel average yield per acre and an average price of \$4.00 per bushel to cover all of these additional costs and break even. Unfortunately, the average yield in 2005 was 24 bushels per acre, and the average price is projected at \$3.34 per bushel.

Finally, Mr. President, I wish to express again how pleased I am that the Senate adopted my amendment to provide an additional \$30 million to reduce the risk of catastrophic fires and mitigate the effects of widespread insect infestations throughout the entire National Forest System. In the West, the seasonal wildfire potential outlook map shows above-normal fire danger across the Western United States and several Southern States, too, have increased fire dangers. One of the most alarming factors in the wildfire outlook this year is insect infestation. For example, my State of Colorado has over 1.5 million acres that have been infested by bark beetles. After these in-

festations come through a forest, they leave behind entire stands of trees—sometimes thousands of acres—that are more susceptible to fire due to the dried-out conditions and increased fuel loads in those forests. Just today, I learned from the U.S. Forest Service that Colorado has 280,000 acres of approved hazardous fuel reduction projects that are awaiting treatment, with Forest Service funding only sufficient to conduct about a quarter of those projects under the best circumstances. This situation represents a true emergency, and I am relieved that we were able to address it in this bill.

Mr. FEINGOLD. Mr. President, I am voting for this legislation because it provides important funding for our troops and for the people recovering from the devastation caused by last year's hurricanes. Unfortunately, I do so with great reluctance because of two fundamental problems with this measure.

First, this bill continues the administration's fiscally irresponsible practice of funding our Iraq and Afghanistan operations outside of the regular budget process. That problem is compounded by the administration's failure to enunciate a clear policy for how we will conclude our military mission in Iraq. Our country needs a new vision for strengthening our national security, and it starts by redeploying U.S. forces from Iraq and refocusing our attention on the global terrorist threats that face us. As I noted earlier in the week, when I was prevented from offering an amendment that would have required redeploying the bulk of our troops in Iraq by the end of the year, we should not be appropriating billions of dollars for Iraq without debating—and demanding—a strategy to complete our military mission there. Not when the lives of our soldiers and the safety of our country are at risk.

Second, this bill has become the most recent vehicle for the explosion of unauthorized spending that is finding its way onto appropriations bills. In addition to providing funding for military operations in Iraq and Afghanistan, this bill was supposed to be limited to addressing the very real needs arising from Hurricane Katrina and other disasters.

Unfortunately, there seems to be an attitude in Congress that is reflected in the comments of one former Member of the other body, who was especially skilled at advancing spending items: "I never saw a disaster that wasn't also an opportunity."

Regrettably, this bill has provided just such an opportunity to interests seeking to circumvent the scrutiny of the authorizing committees or of a competitive grant process. As a result, this measure is larded up with spending for unauthorized programs. Worse, none of this spending is paid for. It is all added to the already massive tab we are leaving our children and grandchildren.

I supported efforts on the floor to strip some of the funding that does not belong in the bill. I opposed efforts to table an amendment by Senator THOMAS and a motion by Senator ENSIGN that would have forced the Senate to consider a bill with a smaller, and more reasonable price tag. I also supported several amendments offered by Senator COBURN and Senator MCCAIN to eliminate funding in the bill for projects that, while they might have some merit, do not necessarily warrant emergency spending. If we are going to pass emergency appropriations bills that aren't offset, we should be sure that the spending in those bills is fully justified.

A portion of the floor debate on this legislation was devoted to skyrocketing energy prices. While significant increases in fuel costs have affected all Americans, they have put the American farmer in an especially tough situation. Unfortunately, I have serious concerns with how this problem has been addressed in this bill.

Under this bill, growers of program crops—rice, feed grains, oilseeds, wheat, cotton and peanuts—who are only about a quarter of farm income receive \$1.5 billion or 90 percent of assistance, while only \$74.5 million is provided for specialty crops, dairy and livestock producers through a block grant to States. Moreover, only the producers of program crops will receive assistance directly. The remaining 75 percent of farmers will not receive direct assistance, nor will they be assured that any funds will find their way to them since those funds can also be used for nutrition programs or marketing. Clearly there is a disconnect between the avowed purpose of this farm assistance and the details of how the program will operate, which is why I supported Senator MCCAIN's amendment to strike a portion of this program.

I urge my colleagues in conference to take a close look at the details of this program. If the program's intent is to help all farmers with their spiraling fuel-related costs, the proposal falls seriously short. Even the modest step of placing a payment limit on the \$1.5 billion for direct payments could provide hundreds of millions of dollars for both a more equitable program and savings for taxpayers.

I am pleased that a compromise was reached among my colleagues regarding the K-12 educational funding for schools that have taken in displaced students. Schools across the country, including some in Wisconsin, have opened their doors to the hundreds of thousands of students who were displaced by Hurricanes Katrina and Rita. I strongly support continued efforts to assist the schools that are educating these students. I am glad that this funding will be provided through title V of the Elementary and Secondary Education Act, which allows local school districts to provide specific educational services to the schools, rather

than direct funding to private schools. This agreement will best serve our educators and students as they continue to recover and heal from the devastation wrought by the hurricanes.

This legislation also includes significant funding to address critical foreign policy concerns. An amendment introduced by Senator BIDEN sets aside funding for a special envoy for Sudan. A special envoy is desperately needed to help bring peace to Darfur and to help ensure that the peace agreement between the north and south is adhered to. This bill also includes key funding needed for strengthening a peace-keeping mission in Darfur to help bring an end to what has become one of the world's greatest tragedies.

This bill also includes funding for Liberia's fragile postelection period, and support for Haiti's tentative transition to a democracy and for the Democratic Republic of the Congo's upcoming elections. This funding is needed urgently to help these countries make the much-needed transition to peace and democratic rule.

I have noted some of the important measures funded in this emergency supplemental and there are many more. Emergency supplemental spending measures are needed at times to deal with true emergencies. However, to borrow a line from the President, this Congress is addicted to supplementals. I am glad that the Senate adopted Senator BYRD's sense-of-the-Senate amendment insisting that future war costs be included in the regular budget. With this bill, total war-related funding paid for through supplementals will reach approximately \$440 billion. That is an enormous sum of money and that does not even include the nearly half trillion dollar annual defense budget. I hope the Senate will stand firm on this issue and insist that any future spending for the Iraq war goes through the regular budget process.

Mr. President, I will vote for this measure with the hope that the administration will work with conferees to eliminate the unjustified spending slipped into this bill, and with a renewed determination to make sure that this body fully debates and votes on my proposal to redeploy our troops out of Iraq by the end of the year, and refocus our resources on the fight against terrorism.

Mr. DURBIN. Mr. President, I rise today to speak in support of the provisions in the supplemental spending bill to assist agricultural producers suffering from Hurricanes Katrina and Rita, drought, wildfires, and other natural disasters. I would like to thank Chairman COCHRAN and Senator BYRD for their work on this bill, as well as my colleagues who have worked with me on this matter since last summer's Midwest drought.

This has not been an easy year for our Nation's farmers and ranchers. Hurricanes Katrina and Rita wreaked havoc on producers throughout the gulf

coast. Losses to livestock and crop production in the gulf coast total in the hundreds of millions of dollars. Many farmers in that part of the country will not even have the opportunity to plant their crops this season due to saltwater intrusion on their lands.

In addition, for farmers outside the gulf coast, the hurricane brought about higher fuel prices and increased the cost of shipping as the Port of New Orleans was temporarily closed. In my home State of Illinois, producers have suffered one of the worst droughts since 1895. The period from March 2005 to February 2006 was the third driest March to February period since 1895. Even with some very fortunate late rains, these drought conditions significantly lowered both yields and the value of the year's harvest.

According to the USDA's National Agricultural Statistics Service, NASS, the value of Illinois' corn crop decreased by more than \$1.1 billion, or about 25 percent, from 2004 to 2005 even as corn acreage increased. At least 10 counties in northeast and western Illinois sustained greater than 20 percent losses in corn yields. Unfortunately, farmers and ranchers are not expecting this crop year to reverse last year's trend. USDA's Economic Research Service, ERS, expects net farm income to drop 23.2 percent this year, from \$72.7 billion to \$56.2 billion, due in large part to stagnant crop prices and rising energy costs.

To make matters more difficult, the price of diesel fuel has doubled since the summer of 2004. Fertilizer prices have taken off as well, increasing by more than 30 percent per acre since 2001. Even with increased efficiency, these rising prices are hurting our Nation's farming families.

Because farmers use so much energy running their tractors and combines, applying fertilizers, and hauling their products by truck to buyers and markets, these prices are squeezing the already thin profit margins of our Nation's producers. Especially when we keep in mind that commodity prices have stayed fairly level over the past 2 years we can see why these natural disasters and high energy costs may be putting our farmers at risk of losing their farms.

The provisions that some of my colleagues and the Bush administration seek to strike would provide assistance to producers who suffered crop losses due to natural disasters such as the drought in the Corn Belt and flooding in various parts of the country, and to those who lost livestock, such as Texas ranchers in this year's wildfires. The measures that are under attack here would also provide a direct payment to producers who are struggling to keep their heads above water due to the rapidly increasing cost of fuel and other inputs.

This is what surprises me most—at this trying time for our Nation's farmers and ranchers, Members of Congress are actively working to prevent this

much needed assistance from reaching our farmers and ranchers. The Bush administration has even gone so far as to say that there has been no disaster at all, even though the Secretary of Agriculture designated 101 of 102 counties in Illinois as disaster areas. Well, the Bush administration budget crunchers aren't talking to their own disaster experts, let alone farmers in western Illinois or ranchers in Texas or anyone who is trying to pay rising energy costs while growing the wheat, corn, and soybeans that keep our people fed.

Now is not the time to turn away from the thousands of farmers who will depend on this assistance to purchase equipment and stay in business this season. I ask my colleagues to join me in expressing their support for these important provisions that will provide some much needed relief for our nation's agricultural producers. I hope the Senate will insist that agricultural assistance be included in the final supplemental spending bill, notwithstanding the misguided positions of the White House and House on this important matter.

Mr. LEAHY. Mr. President, yesterday I spoke on the floor about amendment 3662 filed by Senator FEINGOLD and cosponsored by myself and Senators BYRD, SALAZAR, LIEBERMAN and COLLINS, concerning the Special Inspector General for Iraq.

In that statement I pointed out that because of the administration's decision to request funds for Iraq reconstruction under traditional Foreign Operations accounts even though the funds would be used to continue many of the same activities previously funded under the Iraq Relief and Reconstruction Fund, it would end the Special IG's oversight of these funds.

The Feingold amendment would have ensured that the Special IG's oversight continued, but the Majority opposed his amendment.

As a result, we now have only the State Department Inspector General to oversee these funds, even though that office has no people in Iraq and no capacity to undertake a job of this size and complexity any time soon.

I understand that my friend from Wisconsin went to the floor prior to the vote on cloture and waited for an opportunity to offer his amendment, but he was unable to obtain floor time. After cloture was invoked his amendment was ruled nongermane, and he was out of luck as far as getting a vote on his amendment.

The Special IG has uncovered widespread waste, fraud and abuse. Shocking sums have been wasted by unqualified contractors who spent the taxpayer's money as if it grew on trees, with little to show for it. Many projects that have absorbed millions or tens of millions of dollars will never be completed.

The Special IG has not won any popularity contests with the agencies whose performance he is responsible for overseeing, nor with some in the majority in Congress. However, they have

never offered a substantive explanation for ending his oversight of the Iraq reconstruction funds.

I do want to correct one of my statements yesterday, when I said that members of the majority party, in opposing the Feingold amendment, were "acting on behalf of some in the Pentagon and the White House who want to shut down the office of the Special IG."

I am informed that members of the majority party were not acting on behalf of the Pentagon and the White House. It was not my intention to impugn the integrity or character of my friends in the majority who I respect and have worked closely with for years, but rather to convey my strong disagreement and disappointment with their opposition to the Feingold amendment and to the continued oversight of these funds by the Special IG.

Mr. DODD. Mr. President, today I wish to speak about the emergency supplemental bill and about the amendments related to the ongoing conflict in Iraq and other pressing issues of the day.

For example, I am deeply disappointed that Senator LEVIN and others who had Iraq-related amendments were not allowed to offer them postcloture. I would have supported the Levin amendment, just as I supported the underlying emergency supplemental earlier today.

Having said that, I think there is something very wrong with a process that doesn't allow for full and open debate on the emergency funding for Iraq and Afghanistan just passed by this body. That is why I voted against cloture on the underlying bill earlier this week.

Indeed, the Senate just approved more than \$67 billion in emergency supplemental funding for our combined military engagements in Iraq and Afghanistan. But because of the special rules of the Senate related to the consideration of appropriations matters, most amendments which would have spoken to United States policy in Iraq or Afghanistan were ruled out of order and never received an up-or-down vote, or even an opportunity for full debate. This fact has done a real disservice to the American people and, I believe, left the false impression that Congress is fully on board with our current policies.

By limiting debate on this bill, I'm afraid this body has also missed an important opportunity to address other issues of serious concern to the American people, including, importantly, the high prices Americans are paying at the pump for gas. The energy issue, I would add, is central in our efforts not only to promote a strong economy and supplies for Americans at home, but to our global efforts to secure U.S. national security interests.

Since 2000, the price of a gallon of gas has more than doubled, even when adjusted for inflation. In my home state of Connecticut, the average price for a

gallon of gas hit \$3.04 last weekend. In some parts of the country, prices are even higher. And this winter, only mild weather kept people in colder parts of the country like New England from seeing record increases in their heating bills.

Anyone who drives a car, buys or sells anything shipped by truck or plane, or turns on the heat when it's cold, is paying record prices for energy and enduring serious financial hardship.

At current prices, the average driver can expect to spend about \$1,440 more on transportation this year than they did just a year ago. That's a big chunk of money coming out of consumers' wallets and businesses' bottom line. It's also a real cause for concern for the overall economy—it has the potential to create inflation and act as a drag on economic growth.

Meanwhile, while consumers are paying more, a few large oil companies continue to reap record profits. Let me be clear that I do not begrudge a company—any company—from making a profit. The ability to earn a profit is central to our capitalist system and the American spirit of entrepreneurship. But there is a big difference between profits and profiteering. And in the opinion of many, the big oil companies—who control the market for their products—have been engaging in profiteering on the backs of the American consumer.

Regrettably, by invoking cloture on this bill, this body chose not to consider measures that would have provided timely relief to American consumers and would have strengthened our ability to prevent profiteering at the expense of American families and businesses.

I was ready to offer one such measure with my colleague, the junior senator from North Dakota. Many of my other colleagues were planning to offer measures of their own that also deserved consideration by this body. The senior senator from Oregon, for one, held the floor for several hours last Thursday asking for a vote on his amendment, only to be refused by the majority.

America has an energy policy that is rooted in the 19th century. We depend on fossil fuels that are increasing in cost and limited in supply; that contaminate our air, water, and food supplies; and that are found predominantly in parts of the world that are politically unstable. Meanwhile, global demand is growing as countries like China require greater fuel supplies to power their increasingly modern economies.

This antiquated policy is having many adverse effects on our national security. Frankly, if the industrialized world had a secure alternative supply of energy, we would likely better be able to address any number of major international security crises—including the genocide in Sudan and Iranian nuclear ambitions. Serious action to address either issue is being stymied by

nations reliant on other nations' oil exports.

We cannot keep running away from this problem. By failing to act on—or even consider—any of the measures that were ready to be offered this week and last week, this body missed an important opportunity to provide tangible energy policy solutions for the American public, and an important opportunity to strengthen U.S. national security. And the end result, in my view, is a great disservice to the American people and to U.S. national security.

I will vote for the emergency supplemental bill because while our troops are in harm's way, I believe that we need to provide them with every necessary resource so they can come home safely. But I frankly think that having more time to debate these issues and amendments would have done much to ensure the safety and security of our troops and all Americans in the years to come.

Ms. SNOWE. Mr. President, as Chair of the Senate Committee on Small Business and Entrepreneurship, I rise today to address the impact of amendment No. 3810 proposed by the distinguished Senator from Illinois, Mr. OBAMA. Strengthening competition in the Hurricanes Katrina and Rita reconstruction contracts is a worthy goal. Along with my Senate colleagues from both sides of the aisle, I have watched with disappointment the rush of Federal agencies such as the Department of Homeland Security, DHS, and the Federal Emergency Management Agency, FEMA, to award hundreds of millions in no-bid contracts. Since last fall, my Committee held three oversight hearings on the Gulf Coast hurricane response and reconstruction efforts. Testimony at these hearings clearly established that small businesses have often been the victims of no-bid reconstruction contracting. We received strong commitments from the Army Corps of Engineers, the Department of Homeland Security, and the Small Business Administration to work hard to remedy this problem.

In response to the efforts of my committee and our counterpart committee in the House, positive results are already starting to show for small contractors. As recently as March 31, 2006, the SBA and FEMA jointly announced 36 contracts valued at \$3.6 billion which will be set aside for small and small disadvantaged businesses, aimed at maintenance and deactivation of roughly 150,000 housing units. Priority for award of these contracts would go to local businesses. Federal agencies are also beginning to award disaster relief contracts to small businesses located in Historically Underutilized Business Zones, HUBZones, as called for by the Office of Management and Budget Guidelines for Using Emergency Procurement Flexibilities. The Senate fully supported these efforts by unanimously passing amendment No. 3627 cosponsored by myself and Senators VITTER, KERRY, LANDRIEU, and

LOTT to make the gulf coast area a HUBZone and to waive a law prohibiting small business set-asides in certain industries. All these acquisition strategies enlarge the Federal Government's supplier base, and are mandated by the Federal Acquisition Regulation when qualified small businesses are available. It is my understanding that amendment No. 3810 was not intended to prohibit spending on these and similar efforts. I ask whether my distinguished colleague, the sponsor of the amendment, Senator OBAMA, had the same understanding?

Mr. OBAMA. I thank the distinguished Chair of the Senate Committee on Small Business and Entrepreneurship for the opportunity to discuss this issue. I believe small businesses are the heart of the American economy and I am committed to expanding opportunities for small businesses to compete for Federal contracts.

One of the reasons I offered the amendment was my concern that non-competitive contracts have shut out small, local and disadvantaged businesses from contracting opportunities in the gulf coast. If we are serious about restoring the gulf coast, we must ensure that small and disadvantaged businesses have the tools and opportunities necessary to create the local jobs and provide the local services that are essential to a quick and sustainable recovery. The SBA has an important role to play and should be actively using its authority to promote small business growth and competitiveness.

I want to be clear that it was not the intent of the amendment to interfere with small business set-aside programs that use appropriate competitive procedures in the awarding of contracts. I have been troubled by reports of outrageous overhead charges going to large firms that just end up subcontracting the work anyway to small businesses. It is important to preserve Federal Acquisition Regulations that require contracts to be directed to small businesses where responsible small firms are available to provide the government with quality products and services at fair prices.

My amendment is directed at large Government contracts and seeks to prevent no-bid deals that deprive all of us of the benefits of fair competition. My amendment should not limit Federal funds for contracts legitimately set aside for competition among small business concerns. Small businesses help competition and competition helps small businesses. When a conference committee gets appointed on this bill, I will communicate this understanding to the conferees.

Again, I thank the distinguished leader of the Senate Committee on Small Business and Entrepreneurship, and I look forward to continuing to work with her to strengthen small businesses and to expand opportunity throughout the American economy.

Ms. SNOWE. I thank the distinguished Senator from Illinois for his

clarification and his support of small business contracting.

The PRESIDING OFFICER. Under the previous order, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. COCHRAN. Have the yeas and nays been ordered, Mr. President?

The PRESIDING OFFICER. They have not.

Mr. COCHRAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senator was necessarily absent: the Senator from Utah (Mr. HATCH).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The result was announced—yeas 77, nays 21, as follows:

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

[Rollcall Vote No. 112 Leg.]

YEAS—77

Akaka	Dorgan	Murkowski
Allen	Durbin	Murray
Baucus	Feingold	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Grassley	Obama
Biden	Harkin	Pryor
Bingaman	Hutchison	Reed
Bond	Inouye	Reid
Boxer	Jeffords	Roberts
Brownback	Johnson	Salazar
Burns	Kennedy	Santorum
Byrd	Kerry	Sarbanes
Cantwell	Kohl	Schumer
Carper	Kyl	Shelby
Chafee	Landrieu	Smith
Clinton	Lautenberg	Snowe
Cochran	Leahy	Specter
Coleman	Levin	Stabenow
Collins	Lieberman	Stevens
Conrad	Lincoln	Talent
Cornyn	Lott	Thune
Dayton	Lugar	Vitter
DeWine	Martinez	Voinovich
Dodd	McConnell	Warner
Dole	Menendez	Wyden
Domenici	Mikulski	

NAYS—21

Alexander	Crapo	Hagel
Allard	DeMint	Inhofe
Bunning	Ensign	Isakson
Burr	Enzi	McCain
Chambliss	Frist	Sessions
Coburn	Graham	Sununu
Craig	Gregg	Thomas

NOT VOTING—2

Hatch Rockefeller

The bill (H.R. 4939), as amended, was passed, as follows:

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

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CHANGE OF VOTE

Mr. INHOFE. Mr. President, on roll-call No. 112, I voted yea. It was my intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

The Presiding Officer appointed Mr. COCHRAN, Mr. STEVENS, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. McCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CROHL, Mrs. HUTCHISON, Mr. DEWINE, Mr. BROWNBACK, Mr. ALLARD, Mr. BYRD, Mr. INOUE, Mr. LEAHY, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, and Ms. LANDRIEU conferees on the part of the Senate.

Mrs. MURRAY. Mr. President, I wanted to take a minute to express my deep gratitude to Chairman COCHRAN who, as I stated earlier, has demonstrated extraordinary patience over the past 2 weeks we have been debating this supplemental bill.

I also want to express my thanks to the ranking member, Senator BYRD, who has continued to demonstrate his strong and resolute leadership on this bill.

I also want to thank the many members of our Appropriations Committee staff who have worked very hard.

First and foremost, I thank our staff director and deputy staff director on our side, Terry Sauvain and Chuck Kieffer.

I also thank the majority staff director, Keith Kennedy, and his staff, Clayton Heil and Les Spivey.

I want to make special mention of the extraordinary hard work of B.G. Wright, Kate Fitzpatrick, and Rachael Taylor. They have been keeping us all on track on this side as to which of the hundreds of filed amendments have been cleared and which have not.

Finally, I thank Peter Rogoff who has dedicated his life on the Senate floor for the last 2 weeks above and beyond the call.

I thank all our staff and floor staff for being here many long hours for the completion of this bill.

I yield the floor.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Washington for her kind remarks and for her leadership and assistance in getting this bill prepared by our committee, and for handling the duties of managing the bill on the floor of the Senate.

Senator BYRD, of course, the senior Democrat on the committee, has been an inspiration to me and a true leader in every sense of the word in our committee and in the Senate for a long

time. He continues to be a very important friend to me. I am very grateful for that friendship. I join Senator MURRAY in commending our staff. But, first of all, I think I should mention my appreciation for the majority leader, BILL FRIST; and HARRY REID, the Democratic leader, for giving us the latitude and the authority to manage this bill on the floor of the Senate for the Committee on Appropriations to help ensure that every Senator had an opportunity to speak and offer amendments, to be a part of the passage of this bill in every sense of the word. We appreciate the leaders giving us that authority and for not trying to manage the bill from their offices. I really appreciate that.

Also, I have to commend the staff members on our side: Keith Kennedy, staff director, who has been working in the Senate for the Appropriations Committee for a good many years. He has a lot of experience. He is a person of great integrity, and I am very fortunate that he has agreed to serve as staff director of this committee and continue to provide guidance and supervision for all of the members of the staff of the Committee on Appropriations.

We are very proud of all of the staff. Those who have been particularly helpful to me during the handling of this bill, in addition to Keith, include Clayton Heil, our counsel for the committee, who has been on the floor of the Senate for much of the handling of the bill; Les Spivey, who is also a member of the full committee staff, he does a good job as well. I guess you could say he is our token Mississippian who is on the first team of the committee staff.

Terry Sauvain has been someone with whom I have enjoyed working for a number of years. He has worked closely with Senator BYRD for a good many years. We appreciate Terry's continued good assistance, particularly in the handling of this bill.

Chuck Keiffer and Peter Rogoff—Peter works for Senator MURRAY on the committee staff and has a lot of experience. He has been very helpful to us as we have managed this bill in the Senate.

I thank David Schiappa, Laura Dove, and Jodie Hernandez. They have been at the desk keeping up with all of the amendments, colloquies, and order of business, and keeping people advised through cloakroom telephones and answering Member's questions when they come onto the Senate floor. They go to that spot and ask for the pending business or what the order of amendments may be. They have been absolutely professional and diligent and helpful in every way.

On the Democratic side, I thank Marty Paone and Lula Davis for helping to keep up with things for the Democrats and helping to provide advice and counsel to all of us who have been involved in the handling of this bill. We are deeply grateful for their assistance.

UNANIMOUS CONSENT AGREEMENT EXECUTIVE CALENDAR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that at 2:15 today, the Senate proceed to executive session for consideration en bloc of the following nominations: No. 617, Brian Cogan, to be U.S. district judge for the Eastern District of New York; No. 618, Thomas Golden, to be U.S. district judge for the Eastern District of Pennsylvania.

I further ask consent that the following Senators then be recognized to speak: Senator SPECTER for 5 minutes; Senator LEAHY for 5 minutes; Senator SANTORUM for 5 minutes. Further, following the use or yielding back of time, the Senate proceed to votes on the confirmation of the nominations in the order listed above; provided that following the votes, the President be immediately notified of the Senate's action and the Senate resume legislative session.

Mrs. MURRAY. There is no objection on the Democratic side.

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

MORNING BUSINESS

Mr. ALEXANDER. On behalf of the leader, 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.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes in morning business.

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

The Senator is recognized for 10 minutes.

RECITING OR SINGING STATEMENTS OF NATIONAL UNITY IN ENGLISH

Mr. ALEXANDER. Mr. President, I am here today because I may have misunderstood the actions on the other side of the aisle. Something rather surprising has occurred. It would appear from their actions that my colleagues in the Democratic Party seem to believe that we ought to sing the national anthem, say the Pledge of Allegiance, and take the oath of citizenship in this country in something other than our common language, English.

Here is why I say that. On Monday, along with several other Senators, I introduced a very simple resolution, a resolution affirming that statements of national unity, especially the Pledge of Allegiance and the national anthem, ought to be recited or sung in our common language, English. That is all it says.

Let me read the relevant part of the resolution. It says:

Now, therefore, be it Resolved, that the Senate affirms that statements or songs that symbolize the

unity of the Nation, including the National Anthem, the Oath of Allegiance sworn by new United States citizens, and the Pledge of Allegiance to the Flag of the United States, should be recited or sung in English, the common language of the United States.

This is not a resolution about what we are free to do in the United States; this is about what we ought to do in the United States. It is very straightforward. It does not infringe on anyone's right to free speech, or prohibit translation. It does not say Americans should not learn a second language. In fact, I encourage our children to learn a second language or even a third language to better compete in this global economy.

The resolution does say that we believe that we Americans ought to recite the pledge and sing "The Star-Spangled Banner" and other statements and songs that unite us as a Nation in the language that unites us as a Nation, English.

Last Monday, every Senate office received a request for the resolution to be passed by unanimous consent. I would not expect this resolution to just be bipartisan, I would expect it to easily be unanimous. That request was agreed to by every Republican, but on the other side someone objected.

Should I assume that the Democratic side objected because they believe we Americans should, at least some of the time, sing our national anthem in Spanish or some other foreign language? Do they believe we should recite the Pledge of Allegiance in Chinese, which is the second most spoken foreign language in the United States?

This is important. It is important enough that we inscribed in this Chamber, above the Presiding Officer, our original motto for this country: "One from many." It is not "Many from one." Our greatest accomplishment as a country is not our diversity, which is a magnificent achievement; our greatest accomplishment is we have taken all of this diversity and made it into one country. And we have a few things that unite us: our common history, the principles of our founding documents, and our common language. If we should lose that, we would be a United Nations, not the United States of America.

This is important because this is the emotion which underlies most of the immigration debate we are having. The concern among many Americans, other than the rule of law which has to do with securing the border, is to make sure that those who come to our country become Americans. And we do not do that by race, we do not do that by ethnicity, we do not do that by what country an immigrant comes from, we do it by a few simple uniting ideas: our founding documents, our common history, and our common language.

This has been true for a long time in our country. When a legal immigrant comes to the United States—and this has been the law for 100 years—and he or she applies to become a citizen, he