

French military and economic assistance the will of the American Revolutionaries would have been broken long before our final push was fought to gain a free, independent, and sovereign republic.

To cut and run today, especially in light of our recent successes, would be equivalent the U.S. colonies fighting without French assistance.

Simply put, without foreign military assistance to this country none of us would be standing here today in the world's greatest deliberative body and the bell of liberty would never have rang.

So, today, I ask my friends on the other side of the aisle to step up, look in the mirror, and recall how our very own country was established. Failure to stay the course on this endeavor is short-sighted, hypocritical, and goes squarely against the principles and the very reason this country was conceived and founded upon.

Mr. President, we have much to be thankful for today. As such, I urge my colleagues to help give the Iraqi people what this country so desired in 1776, freedom.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006—CONFERENCE REPORT

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

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, having met, having agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, the supplemental appropriations bill has had a

long and arduous course getting here. I congratulate the chairman and ranking member for working so hard to get it here.

This legislation will provide funds to support the brave men and women who risk their lives every day in Iraq and Afghanistan on behalf of our country. The legislation will provide assistance to those in the gulf coast still struggling to recover from Hurricanes Katrina and Rita, and also will help bolster border security and prepare for the threat of bird flu. These matters are all vitally important, so I expect the conference report to win broad support in the Senate. It should.

But while I strongly support the goals of this legislation, I also have real concerns about the many Senate-backed provisions that have been left out of this conference report.

For example, the Senate included \$648 million to bolster port security. One would think that protecting our ports would be a priority for this Congress, given the ongoing threat of terrorism and the grossly inadequate safeguards for our Nation's ports. But the House leadership completely rejected any additional funds for port security. That is a serious mistake.

We learned during the Dubai Port debacle, the Dubai Port what I call scandal in our country, of the inadequacy of the security of our ports. We knew it before that, but it was certainly much worse than we ever expected.

The House conferees almost completely eliminated the relief the Senate proposed for farmers who have been suffering from recent drought conditions. Many of these farmers, particularly in the Midwest, are struggling financially, just as farmers in regions directly affected by Katrina. Yet they will be shut out from any assistance under this legislation.

This is very typical. Always the farmers, it seems, when there is an emergency, look to the Democrats for help, as they should, because if history is any example—and it usually is—Republicans simply don't pay attention to farmers' and ranchers' problems.

I have talked about port security, I have talked about the ranchers and farmers, but there is something else that was dropped in conference, and that is the proposal to beef up VA medical care for our Nation's veterans. As Senator MURRAY said yesterday and Senator AKAKA today, our Nation's veterans are in peril, but in this bill the move to help them was dropped.

Another proposal to include compensation to health professionals, first responders, and others who may be harmed in the future by experimental flu vaccine has also been dropped.

I wonder why the majority leadership is so opposed to improving port security and helping farmers and veterans. I don't understand. They say they are concerned about cost. It is hard to take such statements seriously when we consider what else has happened in the Senate this week. Costs? At the same

time the majority was stripping a few hundred million dollars to bolster port security, to help our farmers, and to help veterans, they, the majority, proposed spending \$1 trillion to provide a windfall to a handful of our Nation's wealthiest families. When I say "handful," I mean that of a country of 285 million or 290 million people, they want to help, at the most, 12,000 individual estates, less than two-tenths of 1 percent. At the same time they are asking for this trillion dollars that would have to be borrowed—of course, we have borrowed from China, Japan, Saudi Arabia; more than half the money we use to finance our country's operations is borrowed from foreign countries. At the same time they are dropping help for veterans, farmers, and port security, the majority has proposed a tax break worth—for example, they say Paris Hilton's tax break alone would be in the \$14 million–\$15 million bracket.

At the same time they are eliminating these programs I have mentioned for farmers, ranchers, veterans, and security for our country, they are proposing a tax break for the family of the former Exxon CEO worth \$164 million, all paid for by more debt, largely from countries, as I have indicated, such as China, Japan, and Saudi Arabia.

So I think we should erase from the equation the majority's commitment to fiscal responsibility. The Republican majority in the Senate has proven, along with President Bush, that fiscal responsibility is not part of their mantra. When it comes to helping average Americans and the middle class, Washington leaders are all for spending cuts. When it comes to handing out tax breaks that explode the deficit, they insist no billionaire be left behind.

I am disappointed by what has been left out of this conference report and by the values and priorities these decisions reflect. Still, at the end of the day, the items contained in this legislation are vitally important. We must support our troops. We must assist the gulf coast. We must tighten border security and prepare for a possible bird flu outbreak. But this legislation should never be here. Why? Because it should have been included in our regular budget. We are in the fourth year of the war in Iraq—the fourth year—but he didn't put it in his budget. Why? Because it would demonstrate clearly when that budget was given to us how much more red ink there was in the budget.

I read in the papers that Senator JOHN MCCAIN of Arizona is going to offer legislation on the bill that we will have before us this afternoon, the Defense authorization bill, to no longer let the President do that, to no longer use the unusual procedure; that is, we are in the middle of the war, we have ongoing expenses, not to include these expenses in his budget.

As I read the paper this morning, Senator MCCAIN said he is going to

offer legislation to stop that. If that is the case, and I understand it, I would certainly join with him. What was done to make this an emergency spending bill is wrong. We ought to have that part of the budget and debate it like we do everything else.

I am sorry it took so long to get to the point where we are to get the money for the troops, but it is here. I accept that.

I want to make one other point about what is so unusual about this legislation. The Senate voted that they would have an extra \$7 billion to take care of education and labor issues. That is the Health-Education-Labor Subcommittee that is operated by Senator SPECTER and Senator HARKIN. We have an extra \$7 billion. Even with that money, it wouldn't keep up with last year's numbers. But the House didn't want that. Therefore, the House and Senate couldn't agree in an open hearing, like we usually have with a conference report. So what happened—sometimes in the middle of the night—is that item was dropped, and they came up with something called a deeming resolution, which is a mechanism for setting the total level of discretionary spending for the upcoming fiscal year, totally apart from the normal budget. It is used only when the normal budget process breaks down. It obviously hasn't broken down.

A deeming resolution is an admission of failure and used as a last resort. Yet here we are only a few weeks after the House completed its budget, and the majority is already throwing up hands in defeat. Apparently, they are not even going to produce a budget. That is a sad commentary on the state of affairs.

Mr. President, I will use my leader time.

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

Mr. REID. Mr. President, that is a sad state of affairs in Washington. It is very clear that a point of order lies against this supplemental. That means someone could raise a point of order, and it would take under rule XXVIII a simple majority to overrule because it is clear it would properly lie. It remains to be seen if anyone is going to raise that point of order, but clearly it is available to anyone in the Senate.

I hope in the future we can have a regular process for budgeting and a regular process for conference committees to meet. We have talked about doing that before. Under the Republican majority, conferences are not really the way we used to do them—publicly. The Republicans run these committees privately. There are no public votes most of the time. It is a sad commentary how they have run things here, but as I said before, during the 4½ years the President has been in office—I guess it is 5½ years now, I am sorry—we have not had three branches of Government. We haven't had legislative, executive, and judicial branches of Government. We have had two. We

have had the executive and judicial branches. There have been no Presidential vetoes. There has been no need for a Presidential veto because the President gets anything he wants, as indicated with this legislation going forward now.

I hope my friends in the majority will once again recognize congressional oversight is important, to have some oversight hearings to find out what is going on in Iraq, to find out what is going on with domestic spying, to find out what is going on with global warming and other issues of that nature, and not have a deaf ear to our responsibilities as a legislative branch of Government, a separate but equal branch of Government, as so defined by our Founding Fathers.

Ms. CANTWELL. Mr. President, we are here today discussing the emergency supplemental conference report, which appropriates over \$70 billion for Iraq and Afghanistan. Tomorrow we will return to the Defense authorization bill that will include more discussion of our efforts in those countries. The last week had events that this Senator considers very positive: the finalization of a new government in Iraq with the naming of Ministers of Defense and Interior, the U.S. military's success of killing Al-Zarqawi, and the safe return of the President just today from Iraq. While we have had these successes, I think it is important for Congress, as we discuss both the supplemental bill and the DOD authorization legislation, to keep in mind the challenge ahead of us.

While Prime Minister Maliki has moved forward with his new government, we know that national security experts warn that Iraq is still in bad shape. I believe that Congress must do its job in holding the administration accountable as we consider these two pieces of legislation and make sure that 2006 is a year of significant transition in Iraq. That is, specifically, that while we have understood the challenges and mistakes that have been made, that we need to make sure we are moving forward, and we need to make sure we are turning the security efforts over to the new Iraqi Government.

While we have seen some promising developments in Iraq in the last week, we need to remind ourselves that sectarian violence in the last several months has been on the increase, and that the challenge for Iraqi and U.S. forces remains high. The challenge before us as a Congress is to remain vigilant on the accountability of the administration as we consider this legislation I believe is paramount.

U.S. ground forces have been stretched and placed under enormous stress. Sectarian militias are responsible for waves of increasing violence, and there are now over 1.2 million internally displaced persons throughout Iraq. And as I said, while we have had some successes, not everything has gone as planned. There has been mis-

management, contract abuses, fraud in various levels of our reconstruction, and some lack of accountability on exactly how U.S. taxpayer dollars have been spent. Electricity and oil production are below prewar levels. This all has to change.

This year the United States has been spending about \$8 billion per month in Iraq, and Congress has appropriated to date about \$320 billion for Iraqi operations. We need to know where the President is going from here.

Everyone should be thankful that Saddam Hussein is gone, but we should learn from the mistakes that have been made so far and bolster our efforts to get more international support for what the Iraqi Government and the United States are trying to accomplish. No matter where the world community was prior to the U.S. involvement in Iraq, everyone should rise to help the new Iraqi Government meet our growing challenges. So this Senator wants to make sure that we are reaching out and being effective at a broader international effort.

I call on President Bush to name a special envoy to Iraq to promote regional diplomacy and to make sure the United Nations and the World Bank are fully engaged. The President could name someone with the stature and leverage of former President Bill Clinton or former President George H.W. Bush, who was so instrumental in building an international coalition before the first gulf war. I believe that again today diplomatic collaboration is vital. A special envoy could help garner the international support for both Iraqi reconstruction and security. As I said, regardless of what foreign governments thought about the administration's decision to go to war, everyone should share the same desire to help Iraq succeed as a sovereign nation. The international donor community has pledged approximately \$13.5 billion for Iraq and for reconstruction efforts but has only delivered about \$3.5 billion of that total. That must change. If nothing else, a U.S. envoy could make its primary mission the financial contribution by these countries to help shoulder the burden of stabilizing this very important region of the world.

Second, I believe the United States should not hesitate in calling a Dayton-like summit with our allies, with Iraqi neighbors, with the United Nations, to make sure we are moving forward on answering any political and security questions that will help in stabilizing the region. We should also support the Arab League's plan to hold its own international conference on reconciliation in Iraq. The international community should work together to help the Iraqis reach a comprehensive agreement to guarantee regional security, protect Iraq's borders, supplant the militias with Iraqi Security Forces, and revive the reconstruction efforts, especially in Baghdad. We cannot allow the political process to drift. The international community must demand that

Iraqis continue making compromises necessary to end the sectarian violence and to make sure that any amendments to the Iraqi constitution, if necessary, take place in short order.

Third, I believe that the United Nations should become more involved. The United Nations should encourage the creation of a U.N. High Commissioner for Iraq similar to the U.N. High Representative for Bosnia, which was created to work with the international community to ensure a peaceful, viable state in Bosnia and Herzegovina. Creating a U.N. High Commissioner of Iraq could open up the doors for countries that might have otherwise been hesitant to participate. The U.N. can call on its wide network of trained personnel and specialized resources, saving U.S. taxpayers money and providing a genuine boost for our efforts in Iraq.

We must also make sure that we are serious about last year's amendment, the Warner-Frist amendment, which declared that "2006 should be a period of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security creating the conditions for phased redeployment of the United States from Iraq." We pushed for greater oversight and required the administration to provide Congress with quarterly reports, and while we have received some information, the latest reports have not had sufficient information about sectarian divisions and the risk of civil war and our response to those risks.

The Department of Defense aims to train and equip about 325,000 Iraqi troops and police by the end of the year. I want to make sure that Congress, in our budget process, holds them accountable for meeting these goals. For the sake of the U.S. troops that are on the ground, we must make sure that the Iraqi government knows that we want the security responsibilities transitioned to them. And we must make it clear that the United States is not going to stay in Iraq indefinitely.

I take Prime Minister Maliki at his word. He basically has said that the Iraqi forces could take complete control of security within the next 18 months and that the new Iraqi Government could deal with the militias and that the Iraqi Security Forces would take control as quickly as possible. I think we need to continue to push that issue and to make sure that we are meeting the milestones that will help that to occur as soon as possible.

We also need to make sure that the efforts on reconstruction move forward. The United States should help the Iraqis concentrate on security and development efforts in certain areas to ensure that we are demonstrating meaningful economic progress. I think again particularly in Baghdad.

Protecting the Iraqi people and the civilian infrastructure should be our highest priority. Sunnis, Shiites and Kurds alike must have faith in their

government's ability to provide access to reliable electricity, clean water, and proper sanitation.

We must remember that we have to honor our commitment to our troops—the U.S. military who have sacrificed so much. And no one on the Senate floor will ever forget the awful cost of war. In Iraq, the loss of nearly 2,500 members of our Armed Forces, and I am deeply concerned about the 18,000 that have been wounded.

And just as our troops have been stretched to the limit, it is time for us to realize that our capacity for veterans' health care has also been challenged. Based on credible projections from the independent budget, composed by Veterans Service Organizations, the Federal Government is underfunding veterans' health care by at least \$2 billion and the demands on the system are growing.

In March, the VA told Congress they are seeing 38 percent more Iraq war veterans than they had budgeted for. So what is the impact? Some veterans are waiting more than 18 months just to get access to VA health care, and thousands of others across the country are waiting for access to care. As of the last month, more than 2,900 veterans in Washington State were waiting over 30 days to gain access to outpatient care that they deserve and have not been able to get because we have not adequately funded the veterans' health care system.

Some experts suggest that one-third of the soldiers coming home from Iraq seek mental health services, and we need to make sure that we are adequately funding mental health. A lack of capacity in the veterans' mental health system has caused a VA official recently to remark that when it comes to mental health the waiting list renders care virtually inaccessible. I believe this is unacceptable and that we have to do our job and do not short-change veterans' health care. We must give those who have stood up for us the access to care that they deserve.

The United States must make sure that it does not ever condone indiscriminate or deliberate killings of civilians. The overwhelming majority of men and women in uniform are honorable and understand the rules of war and requirements of the Geneva Conventions. Any accusations of misconduct must be handled fairly by the military justice system. We should also play our oversight role here in Congress and make sure that Congress is not leaving the investigation of this issue simply up to the Department of Defense.

We need to make sure that Congress is also investigating this issue and providing the accountability and oversight that everyone deserves. Whether it is detainee abuse or Haditha, we need to make sure that the U.S. image is not damaged and our efforts to win the hearts and minds both in Iraq and the war on terror are not hurt. We must make sure that we have aggressive

oversight and accountability of all agencies of the Federal Government.

The United States should be an example of leadership committed to treating people humanely and abiding by the rule of law and promoting opportunity and a common vision.

I know that recently when British Prime Minister Tony Blair was here, he gave a speech that said: This should be a moment of reconciliation not only in Iraq, but the international community. The war split the world. The struggle of Iraqis for democracy should unite it.

I believe that is what we must move forward on now too as we consider these two pieces of legislation. Congress must be aggressive in its oversight and accountability on these goals for 2006 and in turning over control to the Iraqi people. And we must make sure that we engage the international community to help us move forward in this effort. The United States should lead the way, but it should do so with sufficient international support.

And then I believe we must get on to our larger goals, one that the 9/11 commission recommended to us when it said: Just as we did in the Cold War, we need to defend our ideals abroad vigorously. If the United States does not act aggressively to define itself in the Islamic world, the extremists will gladly do the job for us.

So besides these objectives, we need to move forward in fighting terrorism by promoting American ideals.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I would like to commend my colleague from the State of Washington for her statement. I believe that she has outlined several things that should be taken into serious consideration by this administration. A special envoy would be I think a dramatic and important step forward in changing the battlefield in Iraq to a more constructive environment. I also think the idea of the United Nations appointing a high commissioner for this purpose will also be extremely helpful. I associate myself with her remarks, and I thank her for her observations on this war in Iraq.

The President visited Iraq yesterday. It was a surprise visit. I am sure it did a great deal to help the morale of our soldiers to know that our President would take this dangerous journey to be there with them, even if it was for a brief period of time. I am looking forward to the President's report to the American people today on what he found and what he proposes. We are all hopeful that this war will come to an end soon, that American troops will come home, and that at some point very, very soon, we truly will have our mission accomplished.

This morning's newspaper informs us that we have lost 2,493 of our best and bravest young men and women serving this United States in Iraq. I asked a member of my staff to check when we lost 2,000 soldiers, and the date was October 25 of last year. It appears that in

a very short period of time, we will pass the 2,500 mark. At the time that we recorded the 2,000th military death in Iraq, I asked, along with other Senators, for a moment of silence on the floor of the U.S. Senate to acknowledge their great contribution to our country and in respect for their memory. When the time comes that 2,500 have given their lives, I will make that same unanimous consent request. Since there are no Republican Senators on the floor at this moment, I won't make it at this time, but I want the majority to know that I think, on a bipartisan basis, Senators from both parties should come to the floor when we have recorded the 2,500th death in Iraq and observe a moment of silence in memory of our fallen warriors and in prayer for their families whose lives will never be the same because of their loss.

At that time too we should reflect on those who have gone to serve and have returned broken in body and some in spirit. Over 2,000 have come back from Iraq with serious head injuries. Many of them are struggling now to regain the basic faculties and strengths which they need to lead a normal life. Another 15,000 or 16,000 soldiers have returned who have lost an arm or leg or other grievous injury. They, too, are struggling with their families and with the help of the Veterans Administration to get back to a position where their lives can return to normal.

We know we are not spending enough money at the Veterans Administration. We promised these men and women, if you swear an oath to the United States, if you wear our uniform and our colors, if you will march behind the flag for America's security and interests, we will stand with you. When you come home, we will be there. If you need help in a hospital, we will provide it. If you need help paying for your education or your future, we will help you.

We are not keeping our promise. In too many cases across America, the Veterans Administration is not adequately staffed, not adequately prepared to meet the returning veterans' needs.

I have seen it in my State. Post-traumatic stress disorder is a serious problem. Men and women who are in combat are under extreme stress. They are involved in actions which can leave a lasting imprint on their minds. They are separated from their families, some for long and repeated periods of time, and some come back needing a helping hand. They need to sit down with a friendly counselor, a professional who can bring them back through some of the terrible experiences they have had.

I have met with these soldiers, these Marines and others. They are brave enough to stand up and say, I need help, and we need to help them so that their lives will be restored to normal. Unfortunately, the bill we are now considering, the supplemental appropriations bill, doesn't include an adequate amount for our Veterans Administra-

tion. We tried to add it in the conference committee. There was a motion made by the Senator from Washington, PATTY MURRAY, to put more funds into the Veterans Administration so we would not shortchange our soldiers. It was defeated.

We have been through this before. It was only last year we went through the same debate, and finally, after several months, the Bush administration came in and said: I guess we just don't have enough money for the veterans. And we added some. Why do we go through that every year? We know these veterans are returning and they need our help and we need to have the professionals there to give them that helping hand.

It is unfortunate that this supplemental appropriations bill is the way we fund this war. This is at least the fourth time we have had such a bill. These bills are supposed to be for unforeseen emergencies—hurricanes, earthquakes, things that occur that God has wrought and we have to deal with but not for things that we can ordinarily anticipate; that is what our budget is for.

The administration every single year takes the cost of the war and puts it in an emergency bill, saying: We were surprised; we still have a war going on.

We should not be surprised. We know that we have been in Iraq now for over 3 years and that we are likely to be there for some time to come. Putting this in a supplemental appropriations bill allows the administration to say it is not part of the ordinary budget; therefore, it is not part of the budget, not part of the budget deficit. That is not true.

This \$90-billion-plus bill is added to the debt of this Nation, and we should be honest with the American people about it. This bill is not an honest portrayal of the true cost of this war.

I am also really disappointed; when there are natural disasters across America, one of the first victims is usually an American farmer. These are people trying to make a living growing our food and fiber, and changes in the weather, whether it is a drought or a flood, can make all the difference in the world in their success. I cannot tell you how many times in my congressional career I have been asked to come to the rescue of farmers across the United States in virtually every State in the Union, and I have done it because I know my agricultural community is vulnerable as well and a time may come when they need help.

This is such a time. Last year we had a drought in the State of Illinois, a terrible drought that cost us dramatically when it came to our corn crop and other production. I sat down with the Secretary of Agriculture and said, Why don't you help our farmers? We always help farmers in these situations.

He said: I looked at the statistics and, on average, the farmers in Illinois are just fine.

On average? Farmers don't farm on average. They farm their acreage. On

average you may have one prosperous farmer near one who was wiped out in the drought. On average both of them did just fine, but we know the reality. The reality is that one farmer and his family are suffering.

I urged this administration to do their best to help when it came to this disaster assistance. Over 6,000 producers nationwide wrote to my office and the offices of Senators PRYOR, LINCOLN, DORGAN, SALAZAR, DAYTON, and JOHNSON urging this disaster assistance. Major farm organizations supported us. This drought we faced last year was the worst in over a century. At least 10 counties in Illinois sustained a 20 percent loss in corn yield. The value of the Illinois corn crop was down \$1.1 billion. The Illinois Department of Agriculture estimates that drought of 2005 lowered yields and resulted in a \$443 million loss to producers.

Now the farmers, coming back in the field, face extraordinarily high energy prices because America does not have an energy policy. There has been no leadership in Washington. The cost of fertilizer, the cost of diesel fuel, the cost of gasoline has gone up dramatically, up to \$25 an acre for farmers over the last several years right out of the bottom line.

What we asked for in this bill was to give the farmers a helping hand as we have for the farmers in the Gulf Coast States. I see my colleague and friend, the Senator from Louisiana. The farmers in that State we have helped, as we should, and Mississippi and Alabama, as we should. But I think, when it comes to this national challenge, that we should have stepped forward to help farmers across the board. This bill does not do that, and I am disappointed.

There is another element in this bill which I think needs to be addressed.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. GRAMHAM). There are 5 minutes and 48 seconds remaining.

Mr. DURBIN. Mr. President, that element relates to what is known as the deeming resolution. That is Senate talk for the budget resolution, which is kind of the broad outline of how we will spend money this year. Instead of passing the budget resolution as we ordinarily do, at the last minute in this conference committee the Republican leadership in the House and Senate plugged this resolution into this spending bill. It has been done before but not very often. It is an unusual approach. What it means is the overall spending limitations for the whole budget are now plugged into this special appropriations bill.

There is nothing sinister or wrong about that on its face, until you look at the resolution itself. What they put in as the resolution is President Bush's budget. Let me tell you that budget, sadly, is some \$16 billion below the budget resolution that the Senate approved on a bipartisan basis.

Let me give an example of what the President's budget will cut. These are choices that have been made and will be made in the weeks ahead. One of the areas that troubles me most is President Bush's proposal to cut funding at the National Institutes of Health. That is the agency of our Government that does research on medical diseases and challenges: Lou Gehrig's disease, autism, heart disease, stroke, cancer, diabetes—the list goes on and on. President Bush's budget cut \$1 billion from the National Institutes of Health since 2003 and continues to cut funding there.

There was a bipartisan commitment in Congress that we would dramatically increase medical research, believing that most families in America would applaud that expenditure of their tax dollars, and I think they would. Now, if we are going to follow the President's budget, we will be cutting back on medical research. Any family that faces a serious medical illness understands that research is the one lifeline you cling to. You pray for the best outcome, you hope for the best doctor, but you are also counting on the National Institutes of Health and other medical research to be looking for that cure.

Why would we cut back on it? And we do.

This President's budget also lowballs the spending for the Veterans Administration. As I said before, last year they were proven wrong. It means that instead of acknowledging the obvious, when we promise our soldiers we will be with them when they come home we try to shortchange it and then catch up with them later. It is no way to run a government. It is no way to keep your promise to the men and women in uniform who served our country so well.

There is one another particular issue as well that the President's budget threatens about which I am concerned. We passed the budget resolution and the Senate recognized that the global AIDS epidemic was a major priority. Our budget included a bipartisan amendment to increase funding for the global fund to fight AIDS, TB and malaria by \$566 million. On average, \$100 million contributed to the global fund will mean 630,000 people around the world will have chemically treated nets around their beds to avoid malaria, one of the No. 1 killers of children in the developing world; 150,000 treatments for malaria for each \$100 million to the global fund; 80,000 treatments for tuberculosis; 370,000 people with HIV tests; 11,000 people with AIDS treatment.

This resolution strips \$16 billion out of the budget that we just passed, and that means there will be less money to fight these global epidemics.

Why should we care? We should care, not just because of basic values that many of us hold that they are our neighbors, they are our brothers and sisters, but also because if disease is rampant in the world it will visit the

United States. If the avian flu becomes an epidemic moving from animals to humans in some part of the world, we will have 21 days before it spreads around the world.

A century ago many of these diseases didn't survive the voyage on the trip from the old world where now they survive the 8, 10, and 12-hour airplane trips and come into cities and towns and counties all around the world, including the United States, so our efforts on public health around the world are not only for the right reason, they are also to protect us.

As this President's budget cuts back on spending, threatens the spending for the global fund, unfortunately, people will die as a result of it and, unfortunately, we will live in a more vulnerable world.

Budgets are about choices and usually hard choices, but the Senate made those choices in March. Unfortunately, the bill before us from this conference committee reverses that decision and makes threatening cuts in the National Institutes of Health in the areas of veterans care and in global AIDS, to mention just a few.

This President's budget had the deepest cuts in education of any President in the last several years at a time when we need schools to be the very best for the 21st century to create the opportunity that our people and our children certainly deserve.

Members of the Senate are faced with a quandary. Here is a bill that funds the war. Even those of us who voted against the war believe we have to provide the resources so our soldiers have the equipment and training and supplies they need to come home safely with their mission accomplished, and I voted for every penny the President has asked for that purpose. But within this is a budget resolution with which I do not agree. If you could split your vote on this, I certainly would, voting for the money for the soldiers but voting against this budget resolution which will force us to make cuts in critical areas of importance for America's future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I come to the floor to speak about the supplemental.

As I begin, I would like to underscore some of the points the Senator from Illinois just made about the disturbing deficiencies in this particular supplemental relative to the underfunding of many ongoing critical issues that he so eloquently outlined. But I would like to say that there are some extraordinarily helpful items in this supplemental, which is why I am going to support it, why I was pleased to be a part of crafting the supplemental through the appropriations process as a member of that committee, and why I would like to say a particular thank you to the senior Senator from West Virginia, ROBERT BYRD, and—I see the

chairman of the Appropriations Committee on the floor—to thank the Senator from Mississippi, Mr. COCHRAN, for his work in fashioning through this Senate a bill that will bring so much help and urgently needed support to the gulf coast.

It is not too soon for us to do this, considering hurricane season started last week and there is a tropical storm out in the gulf as we speak here on the floor. Throughout all the gulf coast, from Pascagoula all the way to Beaumont and in parts of Florida as well, of course, people are sitting on pins and needles, hoping and praying that this season that we are entering is not as catastrophic as the one we just left and looking to this Congress, looking to this Senate, looking to the House, looking to our Governors of our States, to give them support and encouragement. That is what this supplemental bill will do.

Within this supplemental bill, despite the real shortcomings that Senator DURBIN has outlined and the real dilemma for those who want to support the troops in Iraq and support real disaster funds, there is an unfortunate choice of having to cut some overall funding that is critical to the country. But, from our perspective, representing the State of Louisiana—and trying to speak as well as I can for the whole gulf coast—we have to get this supplemental passed today.

The leadership of the Appropriations Committee has tried, on the Senate side, to push a robust, strong supplemental bill through to help the people of the gulf coast.

I would like to spend just a moment talking about some of the things that we were successful with in this bill, starting with \$3.7 billion to repair and armor hurricane-protected levees throughout Louisiana, in the southeastern part of our State as well as other parts of our State.

The reason this is so critical is, as I have said many times, it wasn't the hurricanes which necessarily did us in in Louisiana, Hurricanes Katrina and Rita, but what really put us at risk and what really caused substantial damage and loss of life—1,300 people died in the last hurricane season in the United States, a record we could not even believe we would hit or a number we would hit, not in the year 2006, not with the warning we have, not with all the sophisticated technology we have today, but 1,300 people lost their lives in large measure because the Federal levee system collapsed. It broke in multiple places because of underfunding over the years and because of lack of integrity in the design. That report was released only 12 weeks ago. Repairing those levees, armoring them, and building them better, we are not able to do on a wish and a prayer. We need to do that with real money, and the real money is in this bill.

I thank Senator COCHRAN and the administration for stepping up and realizing that their original request was

billions of dollars short. Without this extra money, the people of south Louisiana and in large measure the gulf coast of Mississippi—which, by the way, is protected by the levee systems and the coastal system of Louisiana—would be very vulnerable. We have added almost \$2 billion through the process from the original \$1.9 billion. Without the strong support of Senator BYRD and Democratic Members as well as the leadership of Senator COCHRAN, this would not have been possible.

I also wish to say that a very strong part of this bill we will find in the \$5.2 billion for community development block grants. The original request by the administration was only about \$4 billion. While we were extremely happy for that because it was directed to Louisiana, we were able to put an additional \$1 billion for community development block grants to make sure that Texas, Mississippi, Alabama, to some degree Florida, and, of course, Louisiana get the help they need, not through FEMA, which even on its best day is not working very well, not through other agencies that have not been designed or are not functioning well, but directly to our Governors and to our legislators and local officials who can put this community development block grant to good use—rebuilding 200,000 homes in Louisiana that were destroyed, 10 times more than Hurricane Andrew, which was the most expensive storm to hit Florida or the United States prior to Hurricanes Katrina and Rita. We are very grateful and very hopeful that this community development block grant funding can go to rebuilding, to setting up a new approach to rebuilding houses.

The saddest thing was that many people didn't have insurance because they weren't in the flood plain. They didn't have insurance because they had already paid for their homes. Their homes were paid in full, on high ground, not in a flood plain. Then the levees broke, and middle-income families, wealthy families, and poor families lost their largest asset—their security for their retirement, their emotional security, having worked a whole lifetime to build assets of a home, washed away. For some parents and for some grandparents, this was the way they were going to send their children or grandchildren to college. Gone. Without this community development block grant, they have no hope of restoring their asset or rebuilding their equity—no hope.

Mississippi has developed a plan that is slightly different from Louisiana's plan. I am not sure either one of them is perfect, but it is the plan they came up with. Our job is to get them the money and urge them to do the very best they can with giving people a start.

This is just a picture of one house. I am sure Senator COCHRAN and Senator LOTT have others. I will literally show you pictures of homes of all different shapes and sizes. Over 275,000 of them

look like this. Again, it wasn't just a regular hurricane, which we are used to in the gulf. When the levees broke and a tsunami, a wave of 20 feet of water, poured into the city of New Orleans out of Lake Pontchartrain, this is what was left. That is what people came back to.

People ask: Senator, why isn't everybody scurrying around rebuilding? Well, if this were my house—and my brothers' and sisters' houses look like this; four of them lost their houses; this is what they look like. When they showed up, I, frankly, know how they felt. They do not know where to begin. Even if they can clean up their house, every house to the left and every house to the right and every house as far as the eye can see looks like this, and they are not sure they want to be the only one back in the neighborhood, with no water, no lights, et cetera.

This is a problem of huge magnitude for the gulf coast. As I said, this is not a place which is inconsequential to the Nation; this place is the heart of America's energy coast. One of the reasons the price of oil is so high is because these hurricanes shut down the oil and gas industry for the most part in the gulf when they hit. Anytime a hurricane comes to the gulf, we have to relocate within 24 hours about 6,000 to 7,000 oil workers who make their living on these platforms out in the gulf. These are cities out in the gulf. Every time those waves kick up, to great credit to the industry, I am not sure we had one loss of life. I could be wrong, but I am not sure. I am almost sure there was no loss of life to the workers here because we got them off of those rigs, tied those rigs down, and buckled down for those storms. When the storms pass, we all go back out and we set this up again.

Not only were these storms category 4 and 5 and we are still only 75 percent up, but the communities that serve them—like the community of St. Bernard where a lot of people live who work in these oilfields lost 59 percent of their houses, and 90 percent of all their businesses were destroyed because the levees broke. We are asking these people who live in those houses which you just saw to go out to these rigs every day to work to turn the lights on in this Chamber. They do a real good job of that. I am proud of the work they do. But this supplemental will help them rebuild their homes, rebuild their schools, and rebuild their businesses. The least we can do is pass it without any more time lapse to give them a chance to get back.

I hope members of the Appropriations Committee and the authorizing committees will really grab this opportunity; that is, we fought to get some additional money in this bill, and we ended up with \$400 million for some alternative housing.

Let me say as a Senator from Louisiana that I have been through these storms. Can we please move past the plan to put people in trailers? It is

costing the Federal Government \$70,000 to put people in a trailer. We could practically build a house for \$70,000 and let people live there temporarily until they can get back into their real houses. It is an extraordinary waste of money. We are wasting it at rates that stagger people. We have to think about a new way of not putting everybody in trailers.

Another problem with putting people in trailers is when the next hurricane season comes along, their trailers could literally blow away if they are not tacked down the way they should be, or secured. And FEMA has just let all the people living in trailers know that they are not to take the trailers with them. Even though they are travel trailers, they cannot take them with them if they have to evacuate because they might steal them.

Here we are going to have thousands of people who are living in trailers which cost \$70,000 each to hook up—and contractors made a lot of money off of this system—and the people who have to live in them only get a little bit of space to live. Some are living in them with three or four children, which makes for an exciting opportunity for families. These trailers cannot be moved when the hurricane comes. I hope the winds don't get up to 150 miles an hour because we will have a lot of trailers flying around. I don't know what is going to happen there.

I am so happy that we could fight for this \$400 million. That sounds like a lot of money, but considering we are spending billions of dollars on trailers, to think maybe we could do this a better way next time—that is in this bill.

Another part in this bill which we fought hard to keep—and we got knocked down quite a bit, but we managed to save a piece of it—was for the colleges and universities. Mississippi has two colleges that were very severely damaged. I believe that is correct. I could be wrong. If I am, I will correct the record. But Louisiana has 12 major universities—Tulane, Loyola, the University of New Orleans, Xavier, Dillard, McNeese on the western side—and 45,000 people are employed by these universities, and there are 40,000 students at these universities. Dillard University, one of the historic Black colleges in our country, a private college with an excellent reputation, small—the kids are still at the Hilton Hotel taking classes and eating their meals in the dining room of the Hilton Hotel because their whole campus was destroyed. Their insurance is slow. They are having a hard time getting back. But it is a beautiful, historic campus.

We have \$50 million in this bill to try to give out grants. They have borrowed as much as they can. Their boards of directors are fighting to keep these universities up and running. Besides the great history of these universities, they are the economic engine that is going to pull the gulf coast up from its knees and pull it back. If not our universities, who is going to do the job?

Instead of having our universities lay off people, our universities should be hiring people. These are people getting good jobs that pay \$50,000 and \$100,000. We need our researchers, teachers, and our professors leading the way, and we need our students leading the way to rebuild this great part of America. We have some money in this bill for that. I am proud that we got bipartisan support for that effort on the Senate side.

Finally, I wish to mention two other things. In the city of New Orleans, where the water flooded 80 percent of the east bank of the city, one of the facilities we lost was the veterans hospital. We have over 400,000 veterans in Louisiana. I think we probably have about 300,000 in Mississippi. Between the gulf coast of Mississippi and New Orleans, we had a very good system of health care for our veterans, who really deserve our very best. All Americans deserve good health care, but for men and women who spent their early years, their teenage years, in their early twenties in foxholes, the least we can do for them for defending this country and holding up the flag—today is Flag Day—is make sure when their hospitals and clinics are destroyed that we not only build them back but we build them back better and stronger. If they were too close to the coast, we will move it back.

This hospital was safely in downtown New Orleans, not anywhere near a coast, not anywhere near a lake, not anywhere near the ocean. Because the levees broke, that building was flooded, and now we have veterans without a hospital.

The money for that hospital is in this bill. My colleagues have committed to pass the prerequisite authorization we need to get that done. We will build up in the next couple of months a better health care system for veterans in the gulf coast, and do it smartly with taxpayer money because we are partnering with LSU and perhaps even with Tulane to do a very interesting build of this new hospital that serves veterans and the public alike as we rise up with a better health care system for the gulf coast.

Finally, small businesses. I don't know what makes me sadder. I can't even decide what is the saddest thing about this because it is all so sad. We lost 20,000 businesses. Just as people lost their home, their greatest asset, people struggle their whole life to build a business. It might not have been a huge business, but it was their business. It might not have been a \$50 million business, but it employed three or four people. It made a living for the business owner, and it contributed to the society and to the strength of the community. Many of those businesses are gone.

We have been very slow to recognize the extraordinary magnitude of this disaster, saying to our businesses: Just go to the Small Business Administration and get a loan.

I will spend 1 minute on this. Senator KERRY and I sat through 3 hours of tes-

timony, 7 hours on the ground at a small business tour in New Orleans. I want to tell you what people said: Senator, this makes no sense to me. I got my loan. I asked for a \$400,000 loan. I applied for it. After 4 or 5 months, I finally got approved. But I don't really need \$400,000. My husband and I decided we really only want to borrow about \$200,000 because we do not want to take on that much debt. We are afraid we can't really pay it back. But the Small Business Administration told us we have to borrow the \$400,000 because if we don't, we cannot get a loan.

That is what is going on whether people want to believe it or not. And it gets worse. Not only are they forced to borrow more money than they need and more money than they really want, the Small Business Administration only sends them, say, \$20,000 of the \$400,000. Guess what their monthly amortization payment is on. It is not on the \$20,000 that they have in hand, they have to pay based on the total amount. Every month, they are paying principal and interest on the \$400,000, not the \$20,000 they have in hand. That is the system under which our small businesses are operating.

I am begging the Senate to send more money, not through the regular channels, but this money will go through a different channel to give different grants and loans to these businesses in hopes we can save many of them. Some of them have been lost and can never be rebuilt. The business owners have moved and gone to other places. But there are many extraordinarily brave business owners who not only want to build their businesses back but build their communities back. The least we can do is give them programs that actually meet them halfway, that really work, and stop burying them in paperwork and redtape, rules that make no sense. It is enough to make someone want to quit. I would not blame them. But people are not going to quit in the gulf coast.

As we pass the supplemental, it adds to some additional funding we already passed. We will keep working until we get it right, building a better school system, a better health care system, building levees and support to protect this area because the people of the gulf coast contribute much more than they take to the strength of this national economy.

Off of this coast, wealth is created not just for the people who live there but for this Nation. We are going to prepare ourselves for this next hurricane season, pass the supplemental, and look with confidence to the future as we continue to make progress.

Mr. COCHRAN. Has the time allocated under the order for the Democratic side been used?

The PRESIDING OFFICER. Senator HARKIN has 15 minutes.

Mr. COCHRAN. Mr. President, I am happy to proceed at this point to point out some of the changes made in the conference committee which enabled

us to get a conference report agreed to between the House and Senate conferees and to be consistent with the requirements of the administration.

The administration had sent a pretty clear message that a veto of this conference report could be expected if the total amount exceeded the amount requested by the President for emergency appropriations for the war on terror and other needed expenses to help with the recovery from the hurricanes that damaged the gulf coast area of our State.

The Senate Committee on Appropriations had numerous amendments offered during the markup of this legislation, many of which were related to other issues and other needs, all of which our committee thought were legitimate and requests which should be met.

In the conference with the House, it became apparent we were going to have to yield on some provisions we agreed to and put in our bill. The House, likewise, recognized their bill was not perfect either, it could be improved, and some of the Senate suggestions for additional funding in some areas were agreed to by the House.

We wound up with a conference report which recommends \$94.43 billion for operations in Iraq and Afghanistan, principally in connection with the war on terror; hurricane recovery benefits are made available, principally to the gulf coast region of our country; preparations for a possible pandemic flu problem, which has been a cause for concern in which funds were requested by the administration specifically for that purpose; and other activities related to these principal subjects.

The level of funding is \$14.47 billion below the Senate-passed bill but is \$2.48 billion above the House-passed bill.

There are some specific areas of interest that were debated in the Senate which I am pleased to report were recognized by the conference committee as worthwhile expenditures and investments of Federal funds. Principally, in our State of Mississippi, the Navy retirement home located in Gulfport, MS, which was virtually destroyed by the hurricane, there was no specific request made by the administration for funding of that. The House hadn't put money in the bill to deal with that specific issue. The Senate did include substantial funding, over \$100 million, to deal with that problem. The conferees agreed, yielded to the Senate on that issue. The administration has indicated it will not veto the bill over that provision.

There are other similar provisions along the line where the Senate had insisted that funds be included. Agriculture disaster assistance, for example, had not been requested by the administration.

While keeping with the challenge to restrict the funding for benefits related to damages caused by hurricanes, we did provide, for example, \$37.5 million

for the Foreign Service Agency to respond to damages caused by the hurricanes of 2005. Neither the President's request nor the House-passed bill included similar funding.

Of this spending, \$5 million is for additional salaries and expenses incurred by the Foreign Service Agency to respond to damages, and \$32.5 million is for the Emergency Conservation Program. Real benefits are going to flow from this conference report because of action the Senate had taken and defended successfully in conference with the House. We are assured the administration will use these funds to try to help those landowners and those involved in production agriculture recover from the devastation of these hurricanes.

There are other individual accounts, including one for \$25 million for the working capital fund of the Department of Agriculture. This was requested by the President, I point out.

This conference report reflects a fair compromise between what we were trying to do in the Senate bill, point out some areas we thought had been underfunded or left out of other requests by the administration for disaster relief, and still deal with the reality that we have to be responsive and we have to stay within the restraints dictated by good conscience, good government.

This conference report meets that challenge. I am pleased to be able to present it on behalf of the Committee on Appropriations for the Senate and urge it be agreed to.

I don't know if any Senators have requests for time for debate of this bill, but inasmuch as there is time remaining on the Democratic side, I will reserve the remainder of the time allocated to our side of the aisle.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Mr. President, parliamentary inquiry: Are we under an order right now with a time limit? I have the floor, but I would like to know how much time I am allotted.

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. HARKIN. Fifteen minutes?

The PRESIDING OFFICER. Yes.

Mr. HARKIN. I thank the Presiding Officer.

Mr. President, first of all, I want to say I have a great friendship with, a liking of, and respect for the chairman of our committee, the distinguished Senator from Mississippi. It is always a tough job when you are bringing an appropriations bill out on the floor, especially a supplemental. And I respect the effort that has gone into this. However, I must say that there are a lot of things that I find very, very problematic about this appropriations bill.

Again, there are some critical provisions included in this bill. There is funding for our Nation to prepare for a possible avian flu pandemic. Obviously, there is funding for our men and women in Iraq and Afghanistan, and we want to support them in every way, with the equipment they need to maximize their safety. There is also funding for the U.S. Institute of Peace democracy-building activities in Iraq and Afghanistan. So there are things in here that are very necessary that we must provide.

On the other hand, however, there are some very disturbing and I think sort of ominous precedent-setting things that are in this bill that could lead to some real problems down the road.

I am extremely disappointed this bill includes a deeming resolution for the budget. First of all, it should not be in here. Now, I tried to explain a deeming resolution to one of my constituents the other day. Try to explain it to someone. Try to explain it to someone who is not sort of in this body—a "deeming" resolution. You see, we pass a budget, but then the budget cannot get passed by the House, so, therefore, we then are going to pass a deeming resolution to deem something that we cannot pass as passed because we deem it passed.

Now, just try explaining that to the average citizen of this country. They would think we have lost all our marbles in trying to do something like this. I am hopeful we will reach some point in the Senate and the House where this is absolutely forbidden in the future: putting something like a deeming resolution on an emergency supplemental.

Now, we want to pass an emergency supplemental for the reasons I just mentioned, but then to have to swallow something which makes no sense whatsoever and which, quite frankly, is harmful and which the Senate rejected before flies in the face of what I think is legitimate legislative activity.

So the Senate voted 2 months ago overwhelmingly in favor of an amendment that Senator SPECTER and I offered—bipartisan—to add \$7 billion to the President's budget. The Senate voted 73 to 27. That is a pretty overwhelming vote around here: 73 to 27. The aim was clear: to allow Congress to fund our education, health, human services, and labor bill. And it was not an increase but just to fund it at the same level as in fiscal year 2005, 2 years ago. It was not radical. We were not asking for a lot, not asking for the keys to the Treasury.

We said: Let's just spend the same amount of money we did 2 years ago, not even accounting for inflation.

The Senate said: Let's stop cutting the programs that support working families, people with disabilities, and students who cannot afford college. Let's end the cuts to research on cancer and other diseases.

Seventy-three Senators agreed. They voted that way. Then the Senate recon-

firmed its position in conference. When this deeming resolution was proposed, Senator BYRD offered an amendment that proposed the same thing as what we passed in the Senate—the Specter-Harkin amendment. Again, a majority of the Senate conferees voted to add the \$7 billion. Two times the Senate demanded this additional funding for health, education, and labor programs, and human services.

Now, where is the \$7 billion? Where did it go? It just vanished—vanished. It is gone. The deeming resolution—again, try explaining that to someone, to the average person. The deeming resolution that is in this bill is at exactly the same level as the President's budget, which we rejected in the Senate 2 months ago.

So what happened? The conferees from the majority party went behind closed doors and stripped out the \$7 billion. It is as if the 73-to-27 vote in the Senate never even happened.

So what does this mean? What is the impact? Well, let's look at what happens. Under this now, the President's budget will cut funding for cancer research by \$40 million. Eighteen of the 19 National Institutes of Health will face reductions.

This deeming resolution will now cut Social Services Block Grants by \$500 million. It completely eliminates the Community Services Block Grant program. These are the two biggest discretionary programs for the poor. They are kind of the glue that holds the human services delivery system together.

The number of children served by Head Start will be reduced. The Meals on Wheels Program will be cut.

In education, this deeming resolution, now following the President's budget, will have the largest cut to Federal education in 26 years. The No Child Left Behind Act will be underfunded by \$15.4 billion. Title I, serving our most needy children in school, will be frozen at last year's level.

I could go on and on, but this is what we mean by passing a deeming resolution on the supplemental.

At a time when Congress has just passed an additional \$70 billion in tax cuts, mostly for the wealthiest in our country—and we had an effort a week ago to eliminate estate taxes, but, fortunately, we stopped it. But I hear it may come back, another tax cut that will benefit only 3 families out of every 1,000 families in America. We are going to have another attempt, and that will cost us, I understand, a half trillion dollars over 10 years. And it will go only to the wealthiest in our society. Yet we are going to cut Meals on Wheels, Head Start, cut education, title I, eliminate Community Services Block Grants, cut funding for the National Institutes of Health.

What is going on here? Have we taken leave of our senses? This deeming resolution, as I said, was not in the House bill, and it was not in the Senate bill. There is a rule. We are supposed to

live by rules in our society. We have laws. People obey laws. We have rules to live by so we know what the game is, so we know what we are expected to do.

We have a rule that says anything that is added in conference that was not in either bill is subject to a point of order. A point of order now lies on this floor against this bill.

Now, why isn't anyone raising the point of order? Well, I am told that the point of order will not be raised because the Chair, you see, will have to agree with the point of order that this violates rule XXVIII; therefore, the whole bill then falls.

What does that mean? Why, it means they would have to go back to conference and strip out the deeming resolution. That might take a couple of hours. Then it would come back, and then we would have a supplemental appropriations without this "deeming resolution."

So why isn't rule XXVIII being invoked? Why aren't we raising the point of order? I understand that what would happen is the Chair would uphold the point of order, the majority party would move to override the ruling of the Chair—and that takes 51 votes—and I am told the majority party would have the 51 votes to override the ruling of the Chair, and that would do away, basically, with rule XXVIII.

Well, what is so wrong with that? What is the good of having a rule if you do not abide by the rules? I am reminded of one of my favorite lines from "Finnegan's Rainbow." It is a play. It goes like this: For life is like cricket. We play by the rules. But the secret which few people know that keeps men of class far apart from the fools is to make up the rules as you go.

That is what we are doing around here. We are making up the rules as we go. You never know from one year to the next what the rules are going to be. The rules are only what the majority party deems the rules ought to be at any given point in time. That is no way to run a democracy. It is no way to run a legislative chamber. It is no way to run the Congress.

So we have this threat: If you raise a point of order—which should be raised—that whole rule falls. I question whether the rule is even worth having any longer.

A couple of other notes.

How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. Three minutes 50 seconds.

Mr. HARKIN. Mr. President, let me just note that upon the passage of this supplemental appropriations bill, Congress will have provided over \$318 billion for the war in Iraq—almost all of it through emergency supplemental appropriations.

Now, again, we must support our troops. They have no control over how their operations and equipment are funded. So we want to support them. But I have grave concerns about the

way the Bush administration has gone about funding the war—only through emergency supplemental appropriations.

The war in Iraq has gone on for 3 years now. There have been eight separate emergency supplemental appropriations measures to fund our operations in Iraq.

This is how an emergency is defined by our own budget rules: "Suddenly, quickly coming into being . . . not building over time . . . an urgent, pressing and compelling need requiring immediate action . . . unforeseen, unpredictable and unanticipated and not permanent."

That is how our budget rules define "emergency appropriations." Three years? War in Iraq? It is unforeseen, unpredictable, unanticipated, sudden? Wait a minute, this does not meet the definition of "emergency." It is not unforeseen.

Why isn't the President sending us, then, a regular budget at the beginning of the year to fund the war in Iraq and Afghanistan? Because they do not want to admit how much money they are spending there. They want to mask it.

I am going to support this bill. I will vote for it because it has some things in it and because I want to make sure our troops have the equipment. But I want to go on record as saying I also have a resolution that I introduced in the Senate that says three things. It says: No. 1, we will not establish permanent bases in Iraq; No. 2, we will not seek to control the oil in Iraq; and, No. 3, that we ought to begin redeploying our troops out of Iraq by the end of this year.

So this may be the last time I will vote for any appropriations for the Iraq war, because I believe we should start withdrawing and redeploying our troops by the end of this year. I want to give them everything they need for their safety and their well-being, but enough is enough. And I also want to make it clear that this may be the last time I will ever vote for an emergency supplemental appropriation for the war in Iraq.

If it comes to the regular appropriations process, we will have our hearings. We will see what is happening. But under an emergency, we don't do that. The war in Iraq, we were told by Mr. Wolfowitz before it started, would be paid for by oil; the cost to the American people would be minimal. That is what Secretary Rumsfeld told us. We are up to \$318 billion and counting. It is time that Secretary Rumsfeld and this administration start making some tough decisions about what they can cut out of the Pentagon's bloated annual budget in order to fund the war in Iraq.

Quite frankly, we know there is a lot of waste, fraud, and abuse going on in Iraq. It has to end. As long as we keep having emergency supplemental appropriations, we will never eliminate the waste, fraud, and abuse.

We all strongly support our troops. I will vote for this bill because it con-

tains funding for the troops, for avian flu, and other items, but it is time that the war in Iraq only comes through the regular appropriations process. It is time for us to start getting our troops out of there by the end of this year.

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

The Senator from Mississippi.

Mr. GREGG. Will the Senator yield?

Mr. COCHRAN. I am happy to yield to the Senator from New Hampshire.

Mr. GREGG. Will the Senator allow me to propound a unanimous consent request for the purpose of getting time? I ask unanimous consent that upon all time being yielded back or all time being used relative to the supplemental, that I be recognized for 15 minutes under morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HARKIN. Mr. President, may I ask what the unanimous consent request was? I couldn't hear.

The PRESIDING OFFICER. The Senator requested 15 minutes as in morning business at the conclusion of the debate on the supplemental.

Mr. HARKIN. I reserve the right, only if I could ask that the same 15 minutes be allotted to the ranking member of our Budget Committee, the Senator from North Dakota.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. I withdraw my request, then. I find that to be a request that has very little relevance.

The PRESIDING OFFICER. The request is withdrawn.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is not my intention to use all of the time available to this side. I have had no requests for speaking time for any Senator on our side on the conference report. So the disagreement can be obviated very quickly with my assurance that I am going to speak for no more than 3 or 4 minutes, and then I was going to yield back all the time remaining under this conference report under my control. I advised the Senator from New Hampshire of that. That is why he made the request, because it was not going to infringe on anybody's time, considering the order under which we are operating.

I will proceed to conclude the debate on the conference report and let everybody work out their differences on who speaks next and for how long.

I am pleased we were able to get a bipartisan agreement on this conference report. Senate conferees worked together, Republicans and Democrats, to identify the priorities, to have suggestions fully considered and fairly considered. I am proud of the work product of our Committee on Appropriations in the Senate. I am particularly grateful for the support of the distinguished Senator from West Virginia, who is the ranking member of the Committee on Appropriations. He cooperated in every respect in terms of scheduling hearings, working to make sure that our

committee had all the facts we needed to proceed to making a decision on the President's request.

Our staff members are the very best. We are very fortunate in the Senate to have the benefit of the services of Keith Kennedy, who is staff director of the Appropriations Committee, and his counterpart on the other side, Terry Sauvain, is equally dutiful and dependable in his efforts on behalf of our committee. Chuck Keiffer managed much of the floor activity and was at the markup session that we had that ran way past midnight the night we were completing action on this conference report. He was very supportive of the efforts and the needs of our committee. Senator TED STEVENS, former chairman of the full committee, is chairman of the Defense Appropriations Subcommittee. He and his counterpart, DAN INOUE, are two of the finest Senators who have ever served in the Senate. Their responsibility was to deal with the request relating to defense issues. This was mainly a Defense appropriations request the President submitted for the war on terror. But there were other provisions as well related to that conflict and our effort to defend our security interests. There were State Department accounts involved. We had the benefit at the hearings of the Secretary of Defense, the Secretary of State, the Chairman of the Joint Chiefs of Staff, all talking about the needs for funding of our activities to protect our country's security.

The chairman of the subcommittee that has responsibility for those accounts in the State Department and foreign operations is MITCH MCCONNELL, who is a distinguished Senator from Kentucky and our assistant leader. He turned in yeoman work, along with his counterpart on the other side, PAT LEAHY of Vermont. These are examples of how the committee came together, Republicans and Democrats, and made the decisions that had to be made, negotiated hard and diligently with the House to work out differences between our two bills and considered every request the administration made of the Congress for these appropriations.

I want to single out two other subcommittee staff members. All of the clerks worked hard because almost every subcommittee had a role to play in shaping the final outcome. But on the Defense Subcommittee, Sid Ashworth, who is the clerk, Charlie Houy, who is the Democratic counterpart on that committee, are so dependable and so experienced and dedicated to their jobs, it reflects great credit on the Senate for people such as those I have mentioned today who worked so hard on this conference report. I am delighted to be associated with them and honored to chair the committee. They make my job so much more easy than could possibly be imagined because of their skill and their professionalism and the hard work they turned in to achieve the result we did, not just to

pass this bill but to serve the interests of our country.

I am happy to recommend this conference report to the Senate. I yield back the remainder of the time available under the order.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, under the standing order, is not the Senate now to return to the annual authorization Defense bill?

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Levin (for Lautenberg) amendment No. 4205, to provide a temporary prohibition on an increase in copayments required under the retail pharmacy system of the pharmacy benefits program of the Department of Defense.

Warner amendment No. 4211, to name the CVN-78 aircraft carrier the USS Gerald Ford.

Mr. WARNER. Mr. President, we are ready to proceed. The work achieved yesterday resulted in unanimous acceptance of a bipartisan amendment sponsored by the Senator from Virginia and the joint leadership. We then proceeded to an amendment under an arrangement whereby the minority was able to offer an amendment by Senator LAUTENBERG. I had the opportunity to speak briefly with him this morning. There was some indication that he would be willing to accept a proposal I had to make a slight modification, in which case I would hope we could proceed to either an acceptance by voice vote or schedule a vote at a time so desired by the leadership of the Senate.

I assume at some point in time I will be able to obtain information on that point. Absent that, I see my distinguished colleague, the Senator from Michigan. I was advising the Senate that the pending amendment is the Lautenberg amendment. On another committee where we were together in a markup session, there was some indication that he would be amenable to a modest modification to bring his amendment in parallel with what the committee had done. That is the pending business. We then turn to an amendment by the Senator from Virginia which I would like to discuss with my senior colleague in a minute or two before we turn to that. Unless there is a matter to address the Senate on, I would suggest we place a quorum call in for a few minutes.

Mr. LEVIN. If I may ask the Senator from Virginia, did the Senator from New Jersey want to debate his amendment further?

Mr. WARNER. I was not able, in a busy markup session, to ascertain that.

Mr. LEVIN. Maybe we could ascertain that. He is on his way to the floor. I know he was willing to make the modification. It is helpful to put the date of his amendment in line with our bill, the fiscal year, as I understand it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

Ms. STABENOW. Madam President, I rise to speak in support of the Lautenberg-Stabenow amendment. I understand Senator LEVIN has offered it and Senator LAUTENBERG will be coming shortly to speak on our amendment.

This is an incredibly important amendment for the men and women who are currently serving us so bravely, courageously around the world. We all know that prescription drug costs are one of the largest drivers of health care costs, rising every year at double or even triple the rate of inflation. This is certainly an area where I have been focused for much of my Senate career—on the high cost of prescription drugs. We all know that is the case.

Like every manufacturer, small business, and State Medicaid Program, the military is facing the same challenges of controlling prescription drug prices. Instead of supporting policies that would lower prescription drug prices, such as reimportation of prescription drugs from other countries like Canada, which is very close to Michigan, or focusing on more generic, lower cost drugs that can be brought to the market and create competition to bring down prices, or allowing Medicare to negotiate pricing, unfortunately, this administration wants to put the costs on the backs of our men and women in uniform and their families. I strongly oppose that policy.

The President's budget proposed increasing the prescription drug copays for our troops and their families, almost doubling copays for both generic and brand-name drugs.

The proposed pharmacy copay increases represent a 70-percent increase for military beneficiaries over the next 5 years—far in excess of the 24-percent increase in military pay, or the 14-percent increase in retiree pay over the same period. These increased copays will affect Active-Duty members of the Armed Forces and their families, members of the Guard and Reserve and their families, and retired members of the Armed Forces and their families, as well as surviving spouses who are enrolled in TRICARE and get their prescription drugs from retail pharmacies.

Unfortunately, the Senate Defense authorization bill only rejects the increases if people use mail order pharmacies for their prescriptions. While