

UNANIMOUS-CONSENT REQUEST—  
H.R. 1538

Mr. REID. Mr. President, I ask unanimous consent that if the Senate receives the message from the House on H.R. 1538, the Wounded Warrior legislation, with a request for a conference with the Senate, the Senate agree to the request and the Chair be authorized to appoint conferees.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Reserving the right to object, Mr. President, I am in support of this. I know we all are in favor of the Wounded Warrior legislation, as well as the troop COLA amendment, which I am proud to say passed by unanimous consent of the Senate. But it is not technically in order for the Senate to act at this time, as the bill is over on the House side. Therefore, I would object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. REID. Mr. President, I say to my friend, if he heard my request—maybe he was diverted momentarily—I said that “if” the Senate receives a message from the House on H.R. 1538, the Wounded Warrior bill, with the request for conference, then the Senate agree to the request.

Mr. CORNYN. Mr. President, I appreciate the clarification. However, the objection still stands, inasmuch as it is premature to pose that unanimous consent request at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

DEPARTMENTS OF TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3074, which the clerk will report.

The assistant legislative clerk read as follows:

An act (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Pending:

Dorgan amendment No. 2797, to prohibit the establishment of a program that allows Mexican truck drivers to operate beyond the commercial zones near the Mexican border.

Inhofe amendment No. 2796, to prohibit the use of funds to implement the proposed Air Traffic Control Optimum Training Solution of the Federal Aviation Administration.

AMENDMENT NO. 2808

Mr. CORNYN. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send an

amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself and Mr. INHOFE, proposes an amendment numbered 2808.

The amendment is as follows:

(Purpose: To express the sense of the Senate that General David H. Petraeus, Commanding General, Multi-National Force-Iraq, deserves the full support of the Senate and strongly condemn personal attacks on the honor and integrity of General Petraeus and all the members of the United States Armed Forces)

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) FINDINGS.—The Senate makes the following findings:

(1) The Senate unanimously confirmed General David H. Petraeus as Commanding General, Multi-National Force-Iraq, by a vote of 81-0 on January 26, 2007.

(2) General Petraeus graduated first in his class at the United States Army Command and General Staff College.

(3) General Petraeus earned Masters of Public Administration and Doctoral degrees in international relations from Princeton University.

(4) General Petraeus has served multiple combat tours in Iraq, including command of the 101st Airborne Division (Air Assault) during combat operations throughout the first year of Operation Iraqi Freedom, which tours included both major combat operations and subsequent stability and support operations.

(5) General Petraeus supervised the development and crafting of the United States Army and Marine Corps counterinsurgency manual based in large measure on his combat experience in Iraq, scholarly study, and other professional experiences.

(6) General Petraeus has taken a solemn oath to protect and defend the Constitution of the United States of America.

(7) During his 35-year career, General Petraeus has amassed a distinguished and unvarnished record of military service to the United States as recognized by his receipt of a Defense Distinguished Service Medal, two Distinguished Service Medals, two Defense Superior Service Medals, four Legions of Merit, the Bronze Star Medal for valor, the State Department Superior Honor Award, the NATO Meritorious Service Medal, and other awards and medals.

(8) A recent attack through a full-page advertisement in the New York Times by the liberal activist group, Moveon.org, impugns the honor and integrity of General Petraeus and all the members of the United States Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate—

(1) to reaffirm its support for all the men and women of the United States Armed Forces, including General David H. Petraeus, Commanding General, Multi-National Force-Iraq;

(2) to strongly condemn any effort to attack the honor and integrity of General Petraeus and all the members of the United States Armed Forces; and

(3) to specifically repudiate the unwarranted personal attack on General Petraeus by the liberal activist group Moveon.org.

Ms. KLOBUCHAR. Mr. President, will the Senator yield for 1 minute?

Mr. CORNYN. Mr. President, I will not yield at this time, although after I

get through speaking I am happy to yield to my colleague.

Mr. President, every generation has defining moments, moments when you know in an instant that the world as you knew it has forever changed. Some of these moments are cause for celebration, such as the Moon landing or the fall of the Berlin Wall. But some, like the bombing of Pearl Harbor or the assassination of President John Fitzgerald Kennedy, are moments of intense grief, when the entire Nation holds its breath in shock and disbelief.

The morning of September 11, 2001, was one such defining moment. Many of us closed our eyes, pleading with reality that what we saw could not be true. Many of us sat and cried, reeling from the loss of so many of our friends and neighbors. Many of us crowded into houses of worship across the country, looking for comfort and for answers. We watched as average Americans, finding extraordinary courage, became heroes. Firefighters, police officers, and other emergency personnel responded with remarkable bravery and determination, and many gave their lives so that others might live. The strength and generosity of ordinary Americans was the sole bright spot on that dark day.

But what defines our generation is not just what we do in such moments but what we do the next day, and the next week, and the next year. Here we stand, 6 years later, remembering that day and reflecting back on all that has happened since that time. And here I stand, more proud of America than ever, and especially its response over the last 6 years.

In the weeks following September 11, our country was faced with several choices. Would we crack under the weight of the tragedy and the threat of the terrorist mindset or would we unite against the ideology of fear and hatred? Would we retreat from a dangerous global terrorism or would we work to create a safer world? Over the last 6 years, we have faced terrorism and extremism head on. We have stood firmly against those who would attack innocent civilians and push an agenda of fear. As a result, our country is safer and terrorism is being combated across the world.

Of course, we owe a profound debt of gratitude to the brave men and women of the U.S. military. Their continued service and dedication to our country has literally helped to preserve the American way of life, and made the world safer, I might add, for everyone. Their strength and courage is an example to all of us, and we should always remember and honor their sacrifices.

But the fact is, while we are safer than we were on September 11, 2001, we are not yet safe. Recent renewed threats from al-Qaida and arrests of terror suspects in Germany have proven that the danger is still looming for us. Fighting terrorism means we have to be right all the time, while the terrorists only need to be right once. We

have to stay on the offensive, taking the fight to the enemy and always looking for ways to improve our national security here at home.

Now, yesterday and today, Congress received a report from the general in charge of the Multinational Force Iraq, GEN David Petraeus, and from our Ambassador to the region, Ambassador Crocker.

All of us will recall that when General Petraeus was nominated to this high office as a professional military man, his confirmation came to the Senate. As a member of the Senate Armed Services Committee, I was proud to vote for his confirmation in the Armed Services Committee. As you can see by this chart, on January 26, 2007, the Senate unanimously confirmed this professional soldier as the head of the multinational forces in Iraq.

Unfortunately, when General Petraeus's report was received yesterday before a joint hearing in the House, there was all too common partisanship and shrill rhetoric. But, in contrast, this report represents an honest, non-partisan assessment of the conditions in Iraq, both political and marshal.

You know, the fact is, it bears note that General Petraeus's report, along with Ambassador Crocker's, is exactly aligned with what the Director of National Intelligence issued in August in his report as well as the report of the independent commission created by this Congress headed by retired Marine Corps GEN Jim Jones, who testified just last week.

As a result of these reports, we will now be faced with a choice: Will we heed the advice of our generals, particularly in the case of General Petraeus, a counterinsurgency expert, unanimously confirmed by the Senate, or will we close our ears and our minds to the facts and cave in to special interest groups that claim to know better than our distinguished military leaders?

Even before this report was issued by General Petraeus, one such group began employing a despicable and reprehensible new tactic in anticipation of a report which contradicted their ideology. MoveOn.org sponsored this ad, which shamefully, despicably appeared in the New York Times, claiming that General Petraeus, this distinguished military warrior, was a traitor and that he would lie in his report.

Lest anyone be misled into thinking this is a product merely of an individual organization, MoveOn.org, I would refer my colleagues to an article that appeared in the New York Times magazine on Sunday entitled "Can Lobbyists Stop the War?" What that article pointed out—I would commend it to all of our colleagues—is that an attack such as this is not an isolated event on behalf of an antiwar organization like MoveOn.org; it is part of a concerted strategy composed of some 20 outside special interest groups consulting with Democrats on the Hill.

This organization, as the article reports, does not work only through media by paying hundreds of thousands of dollars for ads like this; they coordinate extensively with Democrats on Capitol Hill, as the article points out. Mr. Matzzie, who is the head of this organization, is actually the Washington, DC, representative of MoveOn.org, and he himself, the article says, meets with Speaker NANCY PELOSI or HARRY REID, the Senate majority leader, maybe once a month, he says, adding that he talks to their staffs once a day or at least a couple times a week. In the article, Mr. CROWLEY notes that senior Democratic aides sometimes even join in conference calls. This might entail discussions of political strategy or more substantive policy briefings by experts from the think tanks that are part of these outside interest groups as part of this organized, orchestrated effort on behalf of those who want to tear down the good name of a distinguished patriot like David Petraeus.

This smear campaign consisted of an entirely unwarranted and fallacious attack and sought to impugn the name of a highly respected man of integrity. I have seen this kind of attack before. I suspect all of us have at one point or another.

But sometimes it is called just simply "poisoning the well." It is a simple principle: When you cannot refute someone's report, try to discredit them before they, in fact, even make it. Indeed, Mr. Matzzie, the Washington director of MoveOn.org who heads up the organization that is referred to in the New York Times magazine article entitled "Can Lobbyists Stop the War?" was quoted in Politico as saying this:

We have to frame his statements before he makes them. He's not St. Petraeus, he's General Petraeus.

This same article which I mentioned a moment ago quotes an anonymous Democratic Senator:

No one wants to call Petraeus a liar on national TV. The expectation is that the outside groups will do this for us.

I hope all of my colleagues in the Senate will join me in condemning these disgraceful attacks against the good name and character of this general. Instead of making wild allegations, we ought to actually listen to what he has to say. It is always, I have found, a valuable tool to listen to what someone has to say before you try to argue with them.

Of course, what he had to say in the House yesterday will be and is currently being repeated, I expect in large part in the Foreign Relations Committee this morning and the Senate Armed Services Committee this afternoon. The fact that General Petraeus has reported that these groups find so reprehensible is that we have actually made progress in Iraq in communities or in areas such as Al Anbar Province and in other places around the country; Al-Qaida in Iraq is losing popularity, and with it they are losing ground.

For every person who abandons the doctrines of terrorism, we take another

step toward a stable Iraq and a safer America. Unfortunately, our colleagues on the other side of the aisle, even before General Petraeus gave this report and in the face of the National Intelligence Estimate and the Jones Commission, denied the fact of violence actually going down in Iraq.

This is just one comment made by the Senator from New York, who said:

The violence in Anbar has gone down despite the surge, not because of the surge.

Disclaiming that our 170,000 American uniformed servicemembers in Iraq have made any difference. The problem is that when you bet against the men and women of the U.S. military, you are going to lose. And those who bet against the U.S. military in claiming that their efforts would have no effect in Iraq have lost that bet because it has, and they just can't seem to handle it.

Another statement by the majority leader attempting to undermine the credibility of this general—Senator REID said:

General Petraeus has made a number of statements over the years that have not proved to be factual.

The chair of the House Democratic caucus, RAHM EMANUEL, on September 7, 2007, said:

We do not need a report that wins a Nobel Prize for creative statistics or the Pulitzer Prize for fiction.

Suggesting that this general, whom we confirmed just last January by unanimous vote, in charge of multinational forces in Iraq would write a report that could be described as "fiction" is an insult.

We should make no mistake about the fact that success in Iraq is inextricably linked to our safety here at home. Let us not forget that only 2 months ago, this Senate overwhelming passed a resolution declaring the dangers of a failed Iraq state and expressing our intent not to pursue any strategy which might lead to that failure, passed by a vote of 94 to 3.

I agreed with Senator REID back in January of 2007 when he said:

Our hope, our prayer is that this President will finally listen, listen to the generals.

That is what we are asking Senator REID and our friends on the other side of the aisle to do today, is to simply listen to this good man who wears the uniform of the U.S. military and give him a fair hearing.

We passed the measure I mentioned a moment ago about taking no action which would likely result in a failed state in Iraq because we recognized that Iraq is the front line in a much larger war, a global war on terrorism.

When the Confederate and Union armies met near a small shoe factory in Gettysburg, they could not have known that battle would be a turning point in our Civil War. But as we stand now looking at the situation in Iraq, we must acknowledge that our success or failure there will be a turning point, one way or the other, in the global war on terror.

Already we have seen Islamic terrorism spread across the globe from Syria, Israel, Lebanon, Afghanistan, the Philippines, Jordan, India, and Bali. All have suffered from Islamic terrorism. European countries such as Spain, Great Britain, and most recently Germany have all had to face the growing threat of suicide bombers and terrorists. Even here at home recently we have seen two terror plots fail, thank goodness, at Fort Dix and at JFK Airport.

Were we to close our ears and our minds to what General Petraeus and Ambassador Crocker have to report and abandon our effort to provide an ability for the Iraqis to govern and defend themselves, were we to leave the region to the hegemony of Iran, an enemy of this Nation which is developing nuclear weapons, we would leave not only the Iraqis but the people in the region—indeed, ourselves here at home—at the mercy of terrorist organizations and countries that give safe haven to those terrorists, a base of operations which would serve as a launching point for further operations into Europe and America. But if we create a stable self-sufficient Iraq, we can begin to push back the terrorist organizations in the Middle East. We can stop their spread and we can push back, just as the American military has in Anbar Province, recruiting local people, the sheiks, the tribes there to be part of the fight on our side and to eliminate al-Qaida from that region.

Just as transparency is the enemy of corruption, free and stable nations are the Achilles' heel of terrorism. Today, 6 years to the day from when we were first attacked, we must redouble our efforts. We must combat terrorism throughout the world, starting with a liberated, secure Iraq.

We should make sure that we give General Petraeus and our troops everything they need to win the battle and turn the tide of the larger war, not undermine them by condoning the kind of scurrilous attacks reflected in this New York Times advertisement by MoveOn.org.

We should also remember that the war on terrorism is more than a military engagement; it is a battle of wills which we all fight. Every day we meet in this hallowed Chamber, we fight that battle. Every time Americans gather to worship without fear, we fight that battle. Every night when we go home to our families and we find comfort with our loved ones, we are fighting that battle. America's determination to continue our way of life is a powerful statement to the terrorists that you may threaten us, you may attack us, but you will never break the American spirit. We will always cherish freedom, and we will always pursue peace and justice throughout the world.

Over the last 6 years, we have had to make many changes in order to adapt to this new threat, but one thing will never change: America will always

fight against fear and extremism, and we will always stand up for a peaceful, more humane world.

Mr. MCCONNELL. Is the Senator from Texas essentially through with his statement?

Mr. CORNYN. I am glad to yield for some questions.

Mr. MCCONNELL. If the Senator from Texas has completed his statement, I will seek recognition.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, before the Senator from Texas leaves, I wish he could put back up the ad in the New York Times yesterday. It strikes me that the Cornyn amendment is an opportunity for Senate Democrats to have their reputation restored. I can't believe that Senate Democrats approved of this kind of trash that we have seen in the New York Times in this paid ad last Sunday which, I gather, cost over \$100,000. This organization, MoveOn.org, is claiming it controls the Democratic Party. I don't believe that is true. But this is what they had to say back in 2004.

Someone named Eli Pariser, an employee of MoveOn, talking about the Democratic Party, said:

Now it's our party. We bought it. We own it. We are going to take it back.

MoveOn is claiming they control the Democratic Party. If I were a Democratic Senator, I would be offended by MoveOn.org's claim, as Senator CORNYN pointed out in his comments, that they communicate on a near-daily basis with senior Democratic Members. Here is a quote:

I called over there and said "you guys better have a strategy on this."

By "there," Matzzie, who, I guess, is the head of MoveOn.org, meant the offices of Democratic leaders on Capitol Hill with which he or his staff communicate on a near-daily basis. According to Matzzie, Matzzie has personal relationships with several senior Democratic Members of Congress.

In short, it strikes me, listening to the Senator from Texas and reading the article in the New York Times myself Sunday, that this organization, this radical leftwing organization is attacking the patriotism of General Petraeus with this ad, accusing him, in effect, of treason—"Betray Us," it says—and is claiming control of our good colleagues on the other side of the aisle. I don't believe that. I don't believe that for a minute. The Cornyn resolution is an opportunity for the Senate to go on record, hopefully unanimously, objecting to this kind of dialog. Certainly, they are free to do whatever they want. It is a free country. The first amendment allows everyone to say whatever they please. But you don't have to endorse this kind of nonsense.

This organization strikes me as a severe threat to the reputation of the Democratic Party. This is an opportunity the Senator from Texas has of-

fered for all of us to go on record in opposition to this outrageous and unacceptable ad run in the New York Times on Sunday.

"General Petraeus or General Betray Us?" What an outrage. Are we not offended by that? Do we not condemn that? This is the opportunity for the Senate, on a broad bipartisan basis, to condemn this outrageous ad.

I thank the Senator from Texas for giving us this opportunity. I hope when this vote occurs, it will be a unanimous expression. Regardless of how we may feel about the war—and I know that is a deeply divisive issue in this body; we understand that—some kinds of rhetoric are simply unacceptable. Here we have an outside organization claiming to basically control the Democratic Party. I don't believe they do. If I were a member of the Democratic caucus and sitting on the other side of the aisle in this Chamber, I would be offended by an organization claiming to control me and to speak for me, such as this group apparently does.

I thank the Senator from Texas. It is a perfectly timely amendment, as General Petraeus is testifying here in the Senate today and in the House yesterday. Of course, next week we will be dealing with the Iraq issue again. I hope we can discuss it in a typical, responsible Senate debate and not have these extreme organizations on the far left, which apparently wish for America's defeat, have a disproportionate influence on this body over the outcome of our debates. We ought to be able to rise above that. We have the possibility of doing that. The American people would like for us to do that. They want us to engage in a civil debate about the way forward in Iraq. We will have an opportunity to demonstrate that again next week. I hope we will demonstrate it this morning by overwhelmingly—and hopefully on a unanimous basis—condemning this outrageous ad questioning the patriotism of General Petraeus.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, there are a number of Senators who want to speak to the pending amendment by the Senator from Texas. The Senator from Minnesota has been waiting for some time. I ask unanimous consent to temporarily set aside the amendment of the Senator from Texas in order for the Senator from Minnesota to send her amendment to the desk and to speak for a couple of minutes and then to return to the amendment of the Senator from Texas.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CORNYN. Mr. President, once the amendment of the Senator from Minnesota is sent to the desk, spoken on, if my amendment will then become the pending business, if I understand the request, I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## AMENDMENT NO. 2816

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk for immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Ms. KLOBUCHAR], for herself and Mr. COLEMAN, proposes an amendment numbered 2816.

Ms. KLOBUCHAR. I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(Purpose: To make available amounts authorized to be appropriated for the repair and reconstruction of the Interstate I-35W bridge that collapsed on August 1, 2007, in Minneapolis, Minnesota)

On page 20, between lines 13 and 14, insert the following:

## I-35W BRIDGE REPAIR AND RECONSTRUCTION

For necessary expenses to carry out the project for repair and reconstruction of the Interstate I-35W bridge located in Minneapolis, Minnesota, that collapsed on August 1, 2007, as authorized under section 1(c) of Public Law 110-56 (121 Stat. 558), up to \$195,000,000, as documented by the Minnesota Department of Transportation to remain available until expended, *Provided*, That that amount is designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress): *Provided further*, That the Federal share of the costs of any project funded using amounts made available under this section shall be 100 percent in accordance with section 1(b) of Public Law 110-56 (121 Stat. 588).

Ms. KLOBUCHAR. Mr. President, I first thank this body for its amazing response when the bridge collapsed in Minneapolis. Senator COLEMAN and I went there immediately the morning after the bridge collapsed on August 1 and saw firsthand what happened. I came back and reported the bravery of our citizens, the emergency responders immediately diving in, people who were off duty coming to the scene, ordinary citizens running in saving people among shards of steel, among rebar, diving in, risking their own lives. There was a miracle schoolbus there where little kids could have died. But one man, who didn't even know those kids, opened the door and let them out. This is what happened in Minnesota that day. Then we returned to this body and worked with our fellow Senators. Not one Senator objected to the idea that when a Federal bridge falls in the middle of America, we must rebuild it. When a Federal highway overpass falls in the middle of America, we must rebuild it.

At that time, when we only had 60 hours to get the authorization for the \$250 million that we requested to rebuild that bridge, we were told to wait until the dust settled to figure out the details of the appropriation. That seemed like a good idea.

The dust has settled. We have learned in our State and in our community

that 13 people died in that tragedy, ordinary people coming home, going to work, people such as Patrick Holmes, who was driving home to his young wife Jennifer and their two children; people such as Sadiya Sahal, a pregnant nursing student, and her 2-year-old daughter Hannah, who were headed to a relative's home when the bridge crumbled beneath them. Many people were injured. Many people died. That is what happened when the dust settled.

We now have a gaping hole in a major bridge in the middle of Minneapolis-St. Paul, a major metropolitan area. Any of our Members, or anyone who is listening today, would think about major metropolitan areas in their States, if there was suddenly a gaping hole. The bridge basically buckled into the Mississippi River. It is eight blocks from my home, so I see it every day. It is costing an estimated \$400,000 a day in lost business, lost time. There are a number of other bridges, but they are very small. Traffic has built up.

The emergency response from the Federal Government has been strong. The response from the State has been strong. Within 12 hours after this tragedy, billboards were up about emergency bus service. People responded in the right way, including the Senate and Congress. But on that day, 60 hours after this happened, a promise was made that we would rebuild that bridge. I appreciated the amendment to build bridges and to help repair bridges across this country. I supported it, as did my colleague, Senator COLEMAN. But we knew this was not the money that had been allocated to fix our bridge in Minnesota.

Often times when these tragedies happen, it does lead to help across the country. When we realized that levees needed to be looked at, when we realized that flood control systems needed to be built after the Grand Forks flood—a lot of things happen that help other people in the country, but we always first help the people where the tragedy occurs. That is what our amendment—Senator COLEMAN is a cosponsor—is about, to make sure we fund the bridge repair, that we fix the bridge.

A bridge in the middle of America just doesn't fall down. We will get to the bottom of what happened. But when it does fall down, we rebuild it. We fix it.

I thank the Senate for its consideration.

Mr. BOND. Mr. President, may I ask the Senator from Minnesota a couple questions? Obviously, we are all concerned about this collapse. We know the burden. We want to make sure we provide responsible help that is necessary. Senator COLEMAN has indicated he wants to speak on the amendment.

I would like to know, No. 1, if this includes transit funding in that \$195 million. Is it emergency highway funds, emergency bridge funds, or is it just designated as an emergency that does not come out of any of the existing highway or bridge funds?

Ms. KLOBUCHAR. It is my understanding that it is emergency funds. We did get some transit money designated early on. The Secretary of Transportation has been very good in working with us. I believe we have received about \$55 million of the \$250 million. That is why this amendment asks for the remaining \$195 million to be appropriated. We will work with the Senator's staff on the details. We want to make sure we cross all the t's and dot our i's. But we cannot continue to let this interstate be a gaping hole in the middle of a metropolitan area, when it is clearly the intent of Congress to fund and authorize the money. We are simply trying to receive the rest of the funding that could be immediately given to us by the Department of Transportation.

Mr. BOND. Mr. President, I appreciate that. We need to work with DOT to make sure we have the details worked out. I appreciate the Senator agreeing to work with us so we can. Senator COLEMAN wants to be added as a cosponsor. We may get further information as we go to conference, but we will try to get this resolved today.

If the Senator would add Senator COLEMAN, I would appreciate that.

Ms. KLOBUCHAR. Senator COLEMAN is an original cosponsor of the original amendment. We made some modifications after speaking with Senator BOND and, of course, he would be included in this one as well. I also thank Senator MURRAY for the work she did immediately after this disaster, sending a staff member out to observe the bridge and work with us on getting immediate funding.

The ACTING PRESIDENT pro tempore. Senator COLEMAN will be added as a cosponsor.

The Democratic whip.

## AMENDMENT NO. 2808

Mr. DURBIN. I ask unanimous consent to return to the amendment offered by the Senator from Texas.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I wish to speak to that amendment, if I could. First, let me stipulate I have said publicly, and believe in my heart, GEN David Petraeus is an honorable man who has served this country with distinction. It has been my good fortune to meet with him in Iraq on several occasions, 2½ years ago, when his job was an important job in training the Iraqi Army, to prepare it to take over for American soldiers. Most recently, in August, I met with General Petraeus in Baghdad for 3 hours, and with Ambassador Crocker, over dinner. We had a lengthy conversation about the surge, the situation in Iraq.

I never for 1 minute questioned General Petraeus's patriotism, his competence, and his record of serving America. That is something I am happy to stipulate for the record and I believe is beyond question and reproach.

I will also tell you I voted for General Petraeus to be head of our military effort in Iraq and did so without reservation. I believe he is extraordinarily competent as a military leader. There are no questions to be raised about that.

Yesterday, before a joint session of the House Armed Services Committee and the House Foreign Affairs Committee, General Petraeus appeared with Ambassador Crocker. The morning news reports suggest virtually every single Member of Congress from both sides of the aisle preceded their remarks about General Petraeus's testimony by giving credit and tribute to this man for his service to our Nation.

That is why this amendment that has been offered by the Senator from Texas strikes me as a little unusual, first in that it is being offered on the Transportation appropriations bill. Someone said, kind of jokingly: Is it because General Petraeus was transported over American highways to make it to the hearing? It is a good question that is being raised here about the general, but it certainly is not a question relative to a Transportation appropriations bill, which includes many serious and important issues as well.

We just heard a comment from the Senator from Minnesota. I can tell you her concern about her State and the terrible tragedy that occurred there is heartfelt. I am glad on behalf of Senator COLEMAN and herself she has brought it to our attention. I hope we will take it up, as we should, during the course of debating this bill.

Secondly, though, there is a time and place for this debate. It is an important debate because having conceded all of these important personal qualities of General Petraeus, the fact is I disagree with the conclusions he presented to that joint committee yesterday. That, of course, does not reflect on him personally; it just reflects on the fact he and I have a difference of opinion. Differences of opinion are pretty basic to our style of Government, not only in Congress but among the American people. So for someone to take exception to the remarks of General Petraeus is not unusual. In fact, it is expected. That is a debate that characterizes a democracy, a government where we are not afraid to stand up and disagree with even people at the highest levels of Government, even people who have excellent reputations who can, from time to time, be wrong.

I would remind the Senator from Texas it was a gentleman from his own State who became Attorney General and recently resigned, after serious questions were raised about his judgment. I did not vote to confirm Alberto Gonzales. I had serious doubts about whether he could serve as Attorney General, and expressed those doubts during his confirmation hearing, during the consideration of his nomination before the vote on the Senate floor, and afterwards, and that is a fact. That is what we are here for. That is part of

the debate which is part of our American conversation. It goes on on the floor of the Senate and the floor of the House.

The same was true for Secretary Rumsfeld. I introduced him to the committee when the President first nominated him to be Secretary of Defense, and did so with pride because I had known of his service as a Congressman from Illinois. Over the course of several years, I came to disagree with many of his policies and believe he made some serious mistakes, for which we are still paying. That kind of disagreement is also part of this debate on Capitol Hill.

Now, what the Senator from Texas suggests—and also the Senator from Kentucky, the minority leader—is that now the Democratic side of the aisle has to be held accountable for all the critics of General Petraeus. In fact, they have gone so far—the Senator from Kentucky said what we are about here is not a resolution relative to MoveOn.org., what we are about is “restoring the reputation of the Democratic Party.” He went on to say the actions of this organization are “a severe threat to the reputation of the Democratic Party.”

Perhaps the Senator from Kentucky overstated a little bit. When the organization ran a full-page ad, I did not notice at the bottom anything that said “endorsed and approved by the Democratic National Committee.” Organizations make their statements, stand by their words, and are held accountable for those. Occasionally, there is a poor choice of words. I think in this particular ad there was a poor choice of words to suggest there was any betrayal involved in the testimony of General Petraeus. But I might remind my colleague and friend from Texas, even the best of us can occasionally get tangled up in a poor choice of words. It has happened to both of us on the floor of the Senate. That is a fact. Occasionally you have to stand up and say: I did not quite mean it the way it sounded.

Well, let me say at this point, if we are going to be held accountable for every organization that opposes the war and the language they use, if the Democratic Party has to come to the floor and be asked up or down to vote on every comment and phrase made, it is a standard that might consume a lot of time in the Senate.

I do not recall a legion of Republican Senators filing in here to complain about Swift Boat Veterans for Truth. In the middle of that Presidential campaign, JOHN KERRY, a decorated Vietnam war hero, had his reputation attacked and criticized by a Texas organization, the Swift Boat Veterans for Truth, that suggested he was not deserving of the combat decorations which he received. I thought their attack was an outrage. Most Americans felt the same. We understand many men and women have risked their lives and given their blood in service to this country and received recognition from

our Government, which they deserved. To have the scurrilous attacks from the Swift Boat Veterans for Truth, I thought, was an outrage. I do not recall resolutions on this side of the aisle saying: Well, now, the Republican Party has to repudiate those.

But if this is going to be our stock in trade now—instead of dealing with issues such as rebuilding the bridge in Minneapolis, instead of facing the reality of bridges across America that are dangerous, instead of dealing with highway funds that are critically important—we are going to set all that aside and ask, first, the Democrats and then the Republicans to respond to every ad that is published in the newspaper, then we better set up a special committee to deal with that. It would be the “Committee on Headlines,” I guess. We could have a bipartisan group and each day have a list of headlines we all object to, and then vote on them on a regular basis.

Is that why we are here? Is that why we were elected? Do we set aside the Transportation bill for America to deal with an ad purchased by a private organization? I do not think so.

Let me say I think it was a poor choice of words in that ad. I do not subscribe to that point of view about betrayal at all. I will defend the right of that organization and others to speak up against the war or for the war, whatever their position might be. That happens to be part of the American opportunity, to stand up and speak your mind, whatever it may be. To take the time of the Senate, on a regular basis, to come through here and to hold us accountable for purchased advertising by organizations will become a full-time job.

Now, before I close, let me say this: I do not believe this amendment is germane. If the Senator wants to offer it on some other bill, in some other context, that is his choice, if he wants to do it that way. But I wish to get back to the business of the Transportation bill.

But before I leave the floor, let me make it clear I disagree with the conclusions of General Petraeus. I have been there. I have met with him. I have seen it. It is true the surge is buying us at least temporary security benefits in some parts of Iraq, but the general has said, and many others have said, we will never win this war militarily. It has to be won by the Iraqi Government making important political decisions to bring their country together and to stabilize Iraq. No matter how many soldiers we send in, that political responsibility will still be there, and even the most optimistic fans of the Bush administration could not say at this moment in time there is a government of national unity in Iraq. There is not.

For all of the lives that have been offered up by Americans—3,774 of our best and bravest who have died as of this day in this war in Iraq; 27,186 who have been wounded—the fact is the political situation in Iraq is a disaster.

Even with the additional surge troops, it is a disaster. For General Petraeus to suggest he will try to bring home the surge forces—30,000—by some time next year, from this Senator's point of view, is not good enough. That will not move the Iraqis forward to accept responsibility for their own country, to accept responsibility for their own defense.

So though I respect General Petraeus, and will continue to respect him, I respectfully disagree with the conclusions he reached before that joint committee in the House yesterday. That is my right. It is the right of every American. If people, in disagreeing, make a poor choice of words, an unfortunate choice of words, I am not going to be standing here and defending them. But I will stand and defend the right of every American to question and challenge this Government and its policies. That is not a reflection on the general's good work or on the fine contribution by the men and women in uniform.

I hope this amendment offered by the Senator from Texas is found not to be germane to this Transportation bill, and I hope we can return to the important business of that bill soon.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, before I respond to the distinguished majority whip, I ask unanimous consent that Mr. INHOFE, the Senator from Oklahoma, be added as an original cosponsor of my amendment.

The ACTING PRESIDENT pro tempore. He is on the amendment now.

Mr. CORNYN. I thank the Chair.

Mr. President, I always enjoy listening to the distinguished Senator from Illinois. He is one of the most gifted speakers in the Senate, and he is a brilliant lawyer. We serve together on the Senate Judiciary Committee.

I agree with him that sometimes people say things they later regret. He is right, both of us have been in that barrel, and we have asked for forgiveness. Hopefully—I do believe, actually, we have received that. But I do think he protests too much.

This simple amendment—which would take us 15 minutes to vote on, if allowed to do so—has to do with more than just a simple disagreement with what General Petraeus has said. This is a direct attack, impugning the character of this distinguished member of the U.S. Army. It is not simply a poor choice of words.

The Senator from Illinois said: I do not subscribe to that point of view. If we would have an opportunity to vote on my amendment, his vote in favor of my amendment would, in fact, confirm what he has already said on the floor—that it is a poor choice of words and he does not subscribe to that point of view.

At the same time he asked: We are on the Transportation appropriations bill. Why are we talking about this now?

Well, frankly, there are a lot of people who think the global war on terrorism and our success or failure in Iraq are just as important—I would submit more important—than an appropriations bill. But the fact of the matter is, we could do both, and we could get this amendment voted on in rather short order.

So I do think this amendment is timely. General Petraeus testified yesterday before a joint committee of the Armed Services Committee and Foreign Relations Committee in the House. He is testifying, even as we speak, before the Senate Foreign Relations Committee, and will testify this afternoon before the Senate Armed Services Committee. I think this is a timely matter, where we should express our strongest repudiation of the kind of despicable attack on the character of this good man that this ad represents.

This ad reportedly cost roughly \$160,000 in the New York Times by MoveOn.org. I have already spoken to the coordination between these outside groups—including MoveOn.org, reported in the New York Times Sunday magazine in an article entitled “Can Lobbyists Stop the War?” talking about regular consultation and coordination between these outside groups and Democrats on the Hill.

I agree with the distinguished Republican leader, Senator MCCONNELL. This is a way for our friends on the other side of the aisle to show some separation between the irresponsible rhetoric of these groups, such as MoveOn.org, and their own position.

All I am asking is that the distinguished majority whip—who has already said this is a poor choice of words and that he doesn't subscribe to that point of view—allow the amendment to be voted on, and by voting for the amendment, he will basically confirm what he has already said on the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, we have about 26 hours left to complete the Transportation and Housing Subcommittee appropriations bill. Our majority leader has already said we are going to return to a debate on Iraq next week, a very few days away from now.

I have a great deal of respect for General Petraeus, but I would remind my colleagues this is the Transportation appropriations bill which we are attempting to complete and the amendment before us has nothing to do with that subject matter. Therefore, in accordance with the point of order established by Senator LOTT when he was majority leader, I now make a point of order against the amendment, that it is a sense-of-the-Senate amendment which is not germane to the Transportation appropriations bill.

The ACTING PRESIDENT pro tempore. Under the precedent of May 17,

2000, the Chair must rule on the germaneness of sense-of-the-Senate amendments to appropriations bills. The Chair finds this amendment is not germane. The point of order is sustained and the amendment falls.

The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I am disappointed the Senator from Washington has chosen to make a point of order against this timely amendment. This amendment is not delaying the underlying bill, contrary to the distinguished Senator's statements and the statements of the majority whip.

We are prepared to set a vote on this amendment at any time this week. I understand the rules of precedence, and I am certain we have considered other amendments previously when similar points of order could have been made and the Senate chose not to raise the point of order. It is not self-executing; someone must raise it. It appears the other side believes the Senate should not speak on this, what I believe is the most important issue today. Again, we are prepared to set an immediate vote and move on to other issues.

Having said that, I will alert my colleagues that the Senate will speak on this issue at some point. We will come back and the Senate will weigh in on this despicable ad.

#### UNANIMOUS CONSENT REQUEST

Mr. President, I ask unanimous consent that at a time determined by the two leaders today, the Senate proceed to a vote on the adoption of a resolution, the text of which is the exact language of the amendment which I have offered. Further, I ask unanimous consent that if the resolution is agreed to, the preamble be agreed to and a motion to reconsider be laid upon the table.

Before the Chair rules, this unanimous consent request allows us to consider the language outside the Transportation appropriations bill, and I would hope there would be no objection to this.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, as the majority leader has said, we are going to return to the Iraq debate within a few days. We are trying to work our way through a very difficult Transportation bill today and, therefore, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I would like to make general comments on the legislation that is before us today—the Transportation, Housing and Urban Development Appropriations bill for fiscal year 2008.

This legislation provides critical funding for our Nation's transportation infrastructure and supports programs that are essential to creating vibrant neighborhoods and communities throughout the United States. I particularly wish to commend Senator



MURRAY and Senator BOND for their leadership on this very important legislation. They have been long-time supporters not only of Transportation projects but also the Housing and Urban Development projects inherent in this bill.

We are all aware of the Nation's aging infrastructure. Senator KLOBUCHAR pointed out very eloquently the terrible situation in Minnesota with the collapse of the bridge over I-35. This bill provides \$40 billion to the Federal-aid Highways Program and helps State and local governments maintain bridges, build roads, reduce congestion, and improve air quality. The funding level of \$631 million more than the administration requested and more than \$1.13 billion than what was provided in 2007. Frankly, even this robust amount is probably not adequate to deal with the crises we face across this country.

After the tragedy in Minnesota, every State looked very closely at their bridges and their roadways, and it turns out that in my State of Rhode Island we have one of the highest percentages of structurally deficient and functionally obsolete bridges in the country. We need resources, but we are not alone. Every State in this Nation needs these resources. This bill is very critical in responding to that need. Again, I commend Senator MURRAY and Senator BOND for doing that, and I particularly commend Senator MURRAY for her amendment yesterday increasing the allocation for this type of work on bridges with an additional \$1 billion. The Transportation provisions in this legislation are critically important to the future of the country.

The other important part of the legislation is the Housing and Urban Development programs. Here again, we have to be terribly concerned about what is going on in the United States. We are all aware of the unfolding subprime mortgage crisis. We are aware of the fact that many individuals are already suffering foreclosure because of the exotic mortgages. It is also rippling over into our larger financial institutions in terms of a liquidity crisis. These are huge problems the economy is facing and facing them with great difficulty over the last several weeks. But what is happening and what will happen over the next several weeks is the fact that many additional subprime mortgages will reset their interest, and everyone is projecting and looking forward to additional pressure on home loans.

One of the important aspects of the legislation before us is that this legislation includes \$150 million for housing counseling assistance that will help address some of these subprime foreclosure problems by allowing not-for-profit groups to reach out to people facing foreclosure and give them help and assistance and act as an intermediary between the financial institution and the borrower. This is very important, very timely, and I hope we

move aggressively to pass this legislation as a result.

The bill also provides \$16.6 billion for the Section 8 accounts. We all understand that Section 8 is a vital component of our housing for our elderly and housing for low-income Americans. Without this, we are literally going to force people out of safe, secure, affordable housing they have today because the bulk of this money goes to maintain those individuals who are in subsidized housing today. So many of them are seniors, low-income seniors. This is the least we can do. I am particularly proud to support the \$75 million Senator MURRAY has included for the Veterans Affairs Supported Housing Program. This is a new incremental voucher program that would be jointly funded by the Department of Veterans Affairs and HUD to provide Section 8 vouchers for homeless veterans. There is nothing more deplorable, if you want to talk about deplorable then leaving veterans homeless. What about the thousands of veterans, combat veterans in this country who are living on the streets? We had a hearing, and a gentleman from Durham, NC, talked about the veterans program he is running. We have veterans of the Armed Forces of the United States who are living behind the bicycle rack at the local Kinkos because they can't get housing. So if you want to talk about a shame and an insult to America's men and women in uniform, look closely at how we are treating some of these homeless veterans. This bill at least attempts to try to reverse that. I am pleased we are providing \$1.6 billion for overall homeless assistance grants because we have a large population of homeless Americans who deserve help and assistance.

There is an additional grant for a pilot program of \$25 million to give the Secretary of HUD the ability to put a program together that will provide for rapid rehousing of homeless families. Homelessness at one point was perceived as a problem of principally men on the street; perhaps stretches back to our—not nostalgic but our recollection of the hoboes of the Great Depression moving around without homes. Today, homelessness is a family problem in this country, and this program can provide hope—limited resources but a matrix, if you will, to help these families move forward.

This legislation also provides additional funding for the Public Housing Capital Fund and the Public Housing Operating Fund. We have to help our cities and municipalities that are running public housing to maintain the facilities and to operate these facilities.

There is also another issue that is important and that is lead abatement. Senator BOND has been a particular champion, along with Senator MIKULSKI, on lead abatement problems throughout this country. This legislation reflects his interest, his concern, and his commitment to helping communities deal with lead abatement. It also deals I think very effectively with

the Community Development Block Grant funding which is so necessary to all our local leaders. This bill represents wise policy and robust funding beyond the President's request. I hope very sincerely the President will not carry out his threats to veto this bill. This bill addresses infrastructure problems and housing problems. It goes to what makes this country work: the economic infrastructure of highways and bridges and the human infrastructure of homes and housing and community development.

This is legislation that I, again, commend Senators MURRAY and BOND for developing, and I thank them and their staffs for their great work. I hope we can, this evening or tomorrow, go to final passage and send this bill forward for enactment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I thank the Senator from Rhode Island. He has been a very effective advocate on housing and the wide range of topics he has discussed. His assistance and support for the bill is very important. We work with him on many issues and appreciate the opportunity to do so.

Yesterday, we had some very interesting discussions. I am sorry the Senator from North Dakota is not here, but I am hoping he will perhaps be watching because I do have some answers to the questions he raised about the Department of Transportation's inspector general report. The first thing he asked was how could the Department of Transportation—the DOT—act so quickly when they received the IG report on Thursday night, September 6, and came out with their truck order for the pilot program on Friday, September 7. Well, the fact is that the DOT, similar to Congress, had been fully briefed on the contents of the report on August 27. I think everybody who is familiar with audits knows that before the audit is released, there is an audit conference and the auditee—in this case the DOT—gets an opportunity to comment on it. The report that the DOT issued was based on the inspector general's draft.

We were able to confirm—they were able to confirm they felt they had complied with the concerns raised by the inspector general.

Specifically, on the inspection of every truck, every time, the IG said that as of July, the DOT didn't have a plan in place with DHS to make sure Customs and Border Protection checked all the trucks. Since that time, however, DOT has executed agreements with Customs and Border Protection so every truck, every time is checked. That is departmental policy, rather than a statutory requirement, but that is what is being done.

The third item: It was alleged that DOT does not have independent access to accident, driver's license, and other data if it is not voluntarily provided by

the motor carrier. DOT tells us that is not true. Motor carriers who want to participate in the program willingly and promptly turn over all records pertaining to their proposed operation. If the Federal Motor Carriers Agency feels there is a need for more indepth data, the Mexican Government will provide it. That is exactly the same process that is in place for Canadian carriers, Canadian drivers who come from north of the border.

There was a question about State enforcement and DOT has addressed that. The Federal Motor Carriers Agency has developed a significant program to train State officials on the enforcement where FMCSA officials are not available, and it would include testing English language proficiency.

Having covered that, I think it might be useful for our colleagues to know there is some strong support for allowing these trucks to run in the United States. I had a letter that was e-mailed to me, and I assume to others, today. It is actually dated June 6; I think it is one they had previously issued. But it says:

The undersigned U.S. food and agriculture groups are deeply disturbed by congressional efforts to block the 14-year-old commitment of the North American Free Trade Agreement to allow Mexican and U.S. trucks to deliver international cargoes . . .

And they state:

These efforts imperil U.S. food and agriculture exports, which have grown dramatically under the NAFTA, and could inflict serious harm on U.S. farmers, ranchers, and agribusinesses.

They go on to say:

The NAFTA is a huge success story for U.S. farmers and ranchers. U.S. exports of food and agricultural products to Mexico have tripled under the NAFTA, climbing from \$3.6 billion in 1993 to \$10.9 billion in 2006. Mexico is now the top-value export market for U.S. beef, dairy, rice, corn sweeteners, soybean meal, soybean oil, apples and dry edible beans and the second largest for U.S. pork, corn, poultry, soybeans and a stable and reliable market for U.S. cotton.

They go on to talk about how this action is unwarranted. It would signal to the world that the United States is willing unilaterally to renegotiate terms of existing trade agreements. Secondly, they say it enhances the likelihood that Mexico will likewise disregard commitments that it made in the NAFTA, such as terminating the remaining tariffs on American agricultural exports, and it notes that Mexico could legally retaliate against the United States and retaliate against U.S. exports to Mexico. That is why Mexico's U.S. Ambassador correctly calls this a powerful symbol of the state of our bilateral relations.

I think that if you will humor me for just a minute, I want to tell you who is behind this letter. For anybody who has agricultural interests in your State, the people supporting it are the American Bakers Association; the Cotton Shippers; Farm Bureau Federation; Frozen Food Institute; Meat Institute; Soybean Association; Corn Refiners As-

sociation; International Dairy Foods; National Barley Growers; Cattlemen's Beef Association; Chicken Council; Corn Growers; Milk Producers; Oilseed Processors; Pork Producers Council; Potato Council; Sorghum Producers; Turkey Federation; North American Equipment Dealers; North American Export Grain Association; American Millers' Association; Produce Marketers; Sweetener Users; Fertilizer Institute; U.S. Apple Association; Dairy Export Council; Wheat Associates; Dry Bean Council; Hide, Skin and Leather Association; Dry Pea and Lentil Council; and the Rice Federation.

Mr. President, I ask unanimous consent to have the letter printed in the RECORD.

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

JUNE 6, 2007.

DEAR MEMBER OF CONGRESS: The undersigned U.S. food and agriculture groups are deeply disturbed by congressional efforts to block the 14-year-old commitment in the North American Free Trade Agreement (NAFTA) to allow Mexican and U.S. trucks to deliver international cargoes throughout each other's territories. These efforts imperil U.S. food and agriculture exports, which have grown dramatically under the NAFTA, and could inflict serious financial harm on U.S. farmers, ranchers, and agribusinesses.

The NAFTA is a huge success story for U.S. farmers and ranchers. U.S. exports of food and agricultural products to Mexico have tripled under the NAFTA, climbing from \$3.6 billion in 1993 to \$10.9 billion in 2006. Mexico is now the top-value export market for U.S. beef, dairy, rice, corn sweeteners, soybean meal, soybean oil, apples and dry edible beans and the second largest for U.S. pork, corn, poultry, soybeans and a stable reliable market for U.S. cotton.

We are concerned that Congress has delayed implementation of a modest demonstration program for cross-border trucking with a provision recently attached to the Iraq supplemental spending bill. Of paramount concern, however, are H.R. 1773, which was passed by the House and referred to the Senate Commerce Committee, and rumored plans to attach a similar measure to appropriations bills in both chambers. H.R. 1773 effectively rewrites the NAFTA by stripping the Administration of authority to operate anything but a limited test program for three years.

Supporters of this proposed legislation contend that they are concerned about highway safety. But Mexico has always agreed that its trucks and drivers will have to comply with all U.S. safety standards. Indeed, the demonstration program requires that U.S. inspectors examine and clear all Mexican trucks on-site in Mexico before any can participate—a step we do not require for trucks driving through our nation from Canada, our other NAFTA partner, or, for that matter, for U.S. trucks.

If implemented, the legislation would create a number of serious problems:

First, it would signal to the world that the United States is willing to unilaterally renegotiate the terms of an existing trade agreement.

Second, it enhances the likelihood that Mexico will likewise disregard commitments that it made in the NAFTA. There is significant unrest in Mexico over the termination of remaining Mexican tariffs which are scheduled under the NAFTA to be removed

on January 1, 2008. Although Mexico's government has reaffirmed its commitment to implement these NAFTA obligations, it is under immense political pressure to disregard some NAFTA provisions—in particular, provisions regarding food and agriculture. Such action by Mexico could have devastating effects on U.S. farm exports to Mexico.

Third, Mexico could legally retaliate against the United States on the trucking issue. A NAFTA dispute-settlement panel unanimously ruled in 2001 that the blanket exclusion of Mexican trucking firms from the United States violated U.S. obligations under the NAFTA.

Mexico was authorized to retaliate against about \$2 billion in U.S. imports. Fortunately, to date, Mexico has refrained from retaliating against the United States. Unless Congress stops preventing implementation of the cross-border trucking program—which Mexico's U.S. ambassador correctly calls "a powerful symbol of the state of our bilateral relations"—we fear that Mexico may retaliate and that U.S. food and agriculture will be the hardest-hit sector. That would seriously harm U.S. farmers, ranchers and food companies and reverse the vital gains that U.S. agriculture has achieved because of the NAFTA.

The Mexican government is resisting broad domestic pressures to keep its word on the NAFTA. We strongly urge you to honor the cross-border trucking commitments the United States has made to Mexico.

Sincerely,——.

Mr. BOND. Mr. President, I urge my colleagues to read this because if they are concerned about what NAFTA has done for U.S. agriculture, I think this is a fairly impressive list of agricultural associations, touching almost every facet of American agriculture, that see the amendment pending on the floor as a great threat to the trade that keeps agriculture strong and provides revenue farm families in rural communities need throughout America.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, on August 2, 2007, by a vote of 83 to 14, the Senate approved S. 1, the Honest Leadership and Open Government Act of 2007, clearing that measure for the President. When that is signed by the President, this ethics reform legislation will significantly improve the transparency and accountability of the legislative process.

While the President hasn't yet signed that legislation, I wish to assure Senators that we intend to abide by the requirements of that legislation during the consideration of this bill. The legislation requires that the chairman of the committee of jurisdiction certify that certain information related to congressionally directed spending be identified and that the required information be available on a publicly accessible congressional Web site in a searchable format at least 48 hours before a vote on the pending bill. The information required includes identification of the congressionally directed spending and the name of the Senator who requested such spending. This information is contained in the committee report numbered 110-131, dated



July 16, 2007, and has been available on the Internet now for 8 weeks.

In addition, pursuant to standards established by Chairman BYRD and Senator COCHRAN for consideration of the fiscal year 2008 bills, letters from each Member with the congressionally directed spending item in this bill or accompanying report are available on the Internet certifying that neither the Senator nor his or her spouse has a pecuniary interest in such spending item.

Mr. President, I ask unanimous consent to have a certification by the chairman of the Committee on Appropriations printed in the RECORD at this point.

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

Senator Byrd: I certify that the information that will be required by S. 1, when it becomes law, related to congressionally directed spending, has been identified in the Committee report numbered 110-131, filed on July 16, 2007, and that the required information has been available on a publicly accessible congressional website in a searchable format at least 48 hours before a vote on the pending bill.

Mrs. MURRAY. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I thank the Senators for their hard work on this bill. As the tragedy in Minnesota showed, priorities are important.

I notice Senator BOND referred earlier to the IG's report I had requested on the Department of Transportation.

I must thank both the inspector general and Secretary Peters for their forthrightness and plain-spokenness in this report. The report is pretty significant. I wish to spend a few minutes talking about it.

First, I want to show the American people the significance of where we stand on the National Highway System. This doesn't have anything to do with States; this is national highways—designated national highways or interstate highways—in terms of the structurally deficient bridges in this country. This is from the U.S. Department of Transportation. These are not my numbers. As you can see on this chart, throughout the country—and it is emphasized in the most populous States, with the exception of Florida—we have significant problems when it comes to bridges. I contend that it is not necessarily too low of a gas tax that has created this; it has been a lack of priority.

I have several amendments I plan to offer to this bill. However, I will probably limit those if my overall first amendment passes.

There were several key points that the IG made and the Secretary of Commerce commented on when it comes to earmarks. Probably the most important of those is that earmarks, when they are made, don't fully account for the cost of those earmarks. As a matter of fact, the IG found substantial re-

duction in all of the other programs throughout the Department of Transportation because of the underallocation of the moneys necessary to complete an earmark.

What does that mean? It means that when we put an earmark in—authorized or unauthorized—and we say it costs \$100, what the Department of Transportation is finding is that often it doesn't cost \$100; because it is mandated by law, we spend \$150. That \$50 goes out of the rest of the programs at the Department of Transportation; therefore, it cuts. They talked about this as overearmarking, not in terms of the numbers but earmarking a result without putting in the dollars to do it. I think there is a comment on one of these charts out of the IG's report which states just that.

Here is another chart. It says:

99 percent of the earmarks reviewed by the inspector general bypassed merit review.

What does that mean? That means had they not been earmarked, they would not have been a priority in a State transportation project and would not have met a priority of the standards the DOT has on highways and bridges—there are five. Only 1 percent of the earmarks placed in the appropriations bill actually pass or meet merit review. The very thing our States do is sit up and say: This is how we want to prioritize spending in our States for safety and infrastructure in terms of transportation. These are not my words; these are the IG's words from the Department of transportation:

7,724 out of 7,760 transportation earmarks in 2006 were not subject to the agency's priority ranking, review, or selection process, or bypassed the States' normal planning and program processes.

So it comes back to the point, why don't we have all these bridges inspected, and why did we see a tragedy in Minnesota? It is because we failed; the bridge didn't fail. We failed to put in the proper amount of money, and we failed to put priorities on what is most important for our transportation sector.

Here is the next chart. Here is another point the IG made:

Recent Department of Transportation reauthorizations have included a significant number of specific projects with associated funding directed to specific State and local agencies or locations. For example, the current Department of Transportation authorization for surface transportation accounted for 6,474 of the Department of Transportation's 8,056 earmarked projects for FY2006.

We are taking money away from the priorities the States and Department of Transportation have that are out there and are transparent, and we are moving them away. That means there is less money for the tremendous number of bridges that are structurally deficient right now in our highway system.

How do we solve that? How do we meet the needs? The State of North Carolina has somebody up here full

time to make sure that when an earmark is requested, it meets the State's guidelines. The State Department of Transportation of North Carolina has to lobby its own members to make sure the requests are within the guidelines of the priorities of the State of North Carolina.

How did we get to the point that we disconnect priorities to the fact that we want to help a certain group that is outside the priorities of our State but inside the priorities of our political purposes? I think we need to reexamine what we are doing. I think we need to reprioritize.

The fact is that a lot has been said about the tragedy that happened in Minnesota. I honestly believe President Reagan was right in 1982 when he vetoed a Transportation bill that had 11 earmarks. His point was that these take away from the priorities. Those 11 earmarks have grown to over 8,000 now. So each year, we have lessened the priorities of safety and efficient transportation to help us politically.

Better planning and prioritization of existing transportation funds could improve road safety and bridge safety. Realize that 13,000 people a year in this country die because of inadequate or poor-quality roads—Federal roads, not State roads. What are some of the things we do with transportation dollars? We build transportation museums, we build bike paths, we build parking garages. We have multitudes of earmarks that are anything except a priority for safety for transportation in this country.

#### AMENDMENT NO. 2810

Mr. President, I ask unanimous consent to call up amendment No. 2810.

The ACTING PRESIDENT pro tempore. Is there objection to setting aside the pending amendment?

Mr. COBURN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 2810.

Mr. BOND. Mr. President, what is amendment No. 2810?

Mr. COBURN. This amendment is an earmark moratorium until all bridges are repaired.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2810.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit funds appropriated under title I from being used for earmarks until all structurally deficient and functionally obsolete bridges have been repaired, with limited exceptions)

On page 70, between lines 20 and 21, insert the following:

SEC. 194. (a) Except as provided under subsection (b), none of the funds appropriated or

otherwise made available under this title may be used for any earmark until all bridges in the United States that are classified under the Federal Highway Administration's bridge inspection program, as of the date of the enactment of this Act, as "structurally deficient" or "functionally obsolete" have been sufficiently repaired to no longer meet the criteria for such classifications.

(b) Funds appropriated under this title may be used for an earmark that is designated to repair—

(1) a bridge that is classified as "structurally deficient" or "functionally obsolete"; or

(2) a road with ride quality that is not classified as "good" or "acceptable".

(c) In this section, the term "earmark" means a provision or report language providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

Mr. COBURN. Mr. President, what does this amendment do? This amendment does not get rid of earmarks. What this amendment does is it delays earmarks. What it says is that for all the earmarks we have had, both authorized and through the appropriations process, unless they are going to build and fix structurally deficient bridges in this country, or they are going to improve a highway that brings it up to standards, that makes it safe, we ought to delay the implementation of those earmarks until we have solved this problem.

How many more bridges have to collapse until we get the message? How many more people have to die until we get the message? The Minnesota bridge that collapsed was noticed in 1990 as being structurally deficient. In 1999, the State department of transportation in Minnesota said there needs to be a priority on this bridge, and yet we did not respond.

The earmark that should have been made was for the repairs for that bridge, and yet they were not made.

This amendment is very simple. I know it goes against the grain of a lot of the processes we use, but it makes common sense that if we are going to forego another Minnesota tragedy, we have to change our priorities.

All this amendment says is the priorities ought to be the safety of the American people and quality so that 13,000 people do not die this next year on roads that are not within the quality classified as "good" or "acceptable." All we do is say let's put our priority where it needs to be right now. Let's set the priority for making sure there is not another Minnesota.

My State leads the Nation in the percentage of bridges that are classified as deficient. Oklahoma, as a State, has never received back what it has paid in to the transportation fund. As a matter of fact, there is over \$1.8 million that we have paid in that we never received back. But we have disproportionately

shared that in other areas. My State does not begrudge this point. The fact is, our State is small compared to the Northeast and the west coast in terms of structurally deficient bridges.

The point ought to be: How do we change the priority, how do we respond to the concerns of the American people over what, in fact, has to be the right priorities for transportation?

A couple of actions can be taken on this amendment. We can vote it down, and we can say safety and bridges and safe roads are not a priority, but museums and bike trails and theaters and parking garages are because they help us politically. Or we can adopt this amendment and send a message to the American people that: We hear you, we understand what you are saying, and we agree that your safety ought to outperform and be above our political necessities and our directed spending.

This does not limit any directed spending for any of these bridges or any of the Federal highways that will move them to good or acceptable. So in terms of transportation, it will not eliminate anything that is important to our safety, important to repairing the infrastructure in this country.

The third action that can be taken on this amendment is that we can pass this amendment, and because it is not liked, it will get trashed in conference. So we can all look good by voting for this amendment, but if we do not insist on this amendment when we get to conference, we will have winked and nodded to the American people again. We would have brought our numbers down by not paying attention to what their concerns are. And, most importantly, we will keep American drivers and pedestrians and passengers at risk.

I hope the chair and ranking member will agree to this amendment, will accept it, and fight for it in conference. I believe we should vote on this amendment. This is an amendment we ought to have a vote on in the Senate. I believe it is about time we start getting our priorities right.

I yield the floor for the present time and wish to speak on this amendment later.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from Missouri.

Mr. BOND. Madam President, I always enjoy a discussion with our colleague and neighbor from the State of Oklahoma. His comments that earmarks have caused bridge deficiencies and tragedies is a bridge too far. I believe as well-intentioned as this amendment is, it fails to understand how the States go about rehabilitating their bridges and maintaining the bridges in their States.

There are many points I can make about this amendment, but I think it is important to note that according to the conditions and needs report of the Department of Transportation in 2006, we need to invest approximately \$12.4 billion annually to eliminate the existing backlog and correct other defi-

ciencies, and we are currently spending over \$10 billion a year.

As Secretary Mary Peters said in testimony on September 5 before the House Transportation Committee, the number of structurally deficient bridges has been declining significantly from 18.7 percent in 1994 to 12.0 percent now. Obviously, that is still too much, but it is not just deficient bridges.

As I pointed out yesterday, we have tremendous highway safety needs. The Chair and I and the Transportation, Housing and Urban Development Committee, the THUD Committee, held a hearing on highway fatalities. We kill about 43,000 people a year on our highways. We went back and asked the Department of Transportation how many people were actually killed on bridges, either bridges that collapsed or bridges that were too narrow. Over a 5-year period, it came out to about 400. We kill 400 people a year on bridges, and roughly 43,000 on highways.

Why is this important? As the occupant of the chair, my colleague from Missouri, knows, we have done a study of what causes highway fatalities. Our Missouri Department of Transportation has estimated that approximately one-third of the deaths on our highways are caused by inadequate highways, outmoded, old-fashioned highways. We have two-lane highways that are carrying traffic that should be on four lanes. Those two-lane traffic jams get people to take unnecessary chances.

When we are talking about the problems of safety, we cannot forget the fact that the biggest safety dangers are the inadequate highways and not just the bridges. In our State, the department of transportation has embarked on an ambitious program to bring 800 bridges up to standards, and every department of transportation in this Nation realizes they have bridge problems, that they need to inspect them, and, as I said yesterday, it is important that we find out what caused this particular collapse. Were the inspections adequate? Was the design adequate? Were there unusual loads that were put on the bridge? These are the kinds of issues we need to deal with immediately. But we also have money going, under the bridge program, to States to deal with these deficient bridges.

Earmarks are not taking away money from bridges. I can tell my colleagues about earmarks in the State of Missouri. Every single earmark in our State, everything that has been earmarked is on the State implementation plan. It is a priority, and most of them are highly significant priorities for safety, whether it is bridges or highways.

I am not surprised that an executive branch agency doesn't like earmarks. Way, way a long time ago in the dim past, I was an executive, and I did not like the legislative body exercising its power of the purse. As a matter of fact, I had all kinds of problems when the General Assembly would pass something, and I vetoed a couple of them.

So legislative earmarks are efforts to exercise the legitimate control over the purse and are always resisted by the executive.

Let's take a look at what happened in last year's Transportation appropriations bill. There was about \$853 million worth of high-priority projects that Members had asked for in their States and the bill contained. That bill never got to final passage. So the Department of Transportation took that money. They took the money from high-priority projects all across the Nation and put it into something called Urban Partners. They are going to reduce congestion. In one city they are going to use the money to start having rush-hour traffic drive in breakdown lanes. What happens when somebody breaks down in the breakdown lane? They have a tremendous jam. There are many things going on.

Oh, and by the way, under Urban Partners, \$853 million went to Miami, New York, Minneapolis, San Francisco, and Seattle. As far as Oklahoma, Missouri, and other States, we were left out. Frankly, I think I can do a better job of working with my colleagues to determine where some of that money should go rather than what I think is a not very well thought out Urban Partners program to just five cities.

My colleague from Oklahoma says he really likes authorized projects. I have been an authorizer, too, but the bridge to nowhere, which gained such infamy, was an authorized project. It was put in by the chairman of the conference committee on SAFETEA. Three months later, the Transportation appropriations bill that year unearmarked that earmark, and we are pleased to say that it is no longer federally earmarked.

I know our colleague from Oklahoma doesn't like putting in money for bike paths. It may surprise him to know I am not a fan of that either. I voted against it. But it was in the authorized bill. Yes, that is what the authorizers put in, \$100 million to go to bike paths. I think bike paths have their place, but given the state of congestion on highways, I think with the danger on highways and bridges, we probably should not be putting \$25 million there. But since the money was in there, I did, in the authorization project, get \$25 million for bike paths, and that has been spent. If the Senator from Oklahoma wants to change that, I think we need to change the underlying authorization, and I would certainly vote for that.

I think trying to blame earmarks on deficient bridges is a bridge too far, and I would urge my colleagues to oppose the Coburn amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I appreciate the words of Senator BOND, although I was misquoted. I don't like any earmark.

I accept that authorized earmarks have, in fact, been reviewed by an au-

thorizing committee, but I would make a couple of points. This year, the appropriators will spend \$188 billion appropriating money for something that has not been authorized. So you can use that as a debate tool, but the fact is, the authorizers have limited influence over the Appropriations Committee because they will spend 20 percent of our discretionary budget on items that are not authorized by the authorizing committees.

The other point I would make is that the Senator will get a chance to vote against bike paths because I have another amendment that eliminates funding for bike paths until we have restored the bridges. This amendment cares for the roads that Senator BOND just made a point of. The fact is, this amendment allows the money to bring roads up to quality and safety standards. So it would not eliminate where the 13,000 people die in this country from unsafe and poor quality national highways; it will, in fact, allow those to happen.

What it would not allow is \$600,000 to be spent on horse-riding facilities in Virginia; a snow mobile trail in Vermont of \$5.9 million; parking for New York's Harlem Hospital of \$8 million; \$532,000 for a bicycle and pedestrian trail in Tennessee; a daycare center and park and ride facility in Illinois; dust control mitigation for rural Arkansas of \$3 million; the National Packard Museum in Ohio, \$2.75 million; a historical pilot project in Washington for \$200,000. I think we are going to have trouble convincing the American people those things are a higher priority than bridge safety in this country. And that is just a small example of the congressionally directed spending in this bill.

So I don't deny that those may be priorities, but what I would state is they are lower priorities than safety on our roads and rebuilding our bridges and making sure our highways are safe. And I would wager that the vast proportion of Americans, by far, would agree with that statement. We have lost our way if, in fact, we are going to fund these things at the expense of not funding bridge repair in this country.

I think the projects that are funded, many of them, a great many of them, fit into the priorities of restoring bridges and highways, but many don't. And the question around this amendment is, Will we do that which is the highest priority for us?

It is kind of like the war. We are spending about \$8.5 billion a month. But whose money are we spending on the war? We are spending our children and grandchildren's money because every bit of it has been outside the budget guidelines, so it goes straight to debt. The point is, we don't have the money right now to do some of the things we would like to do because we should be doing the things that we need to do. And the things we need to do should be the highest priority for the American people. That certainly

isn't horse-riding facilities in Virginia or a snow mobile trail in Vermont.

Madam President, I yield back and hope to speak again on this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I have listened to the Senator from Oklahoma on the amendment he has offered, and I want to make a few comments.

I remind all of our colleagues that at noon we are going to go to a moment of silence. Today is the 9/11 anniversary, and it is a time we all want to pause for a minute to reflect on what has happened over the last 6 years. Hopefully, I will be able to make a few remarks, and we will see if the Senator from Oklahoma has any remaining time, and then I can talk to my colleague and we can set a time for this vote and then get to many of the other issues that are pending now on this bill.

I want to remind all my colleagues that we are trying to work to finish this bill. Hopefully, we will get a path cleared for late tonight or to finish tomorrow morning. I remind everyone that we are going to be finishing this bill because of the Jewish holidays this weekend. We are trying to work through this in a very tight timeframe. We have a number of pending amendments we want to work through.

But let me respond to the Senator from Oklahoma. He brings before the Senate today his argument on funding bridges within our Transportation bill, and yesterday the Senate spoke out very strongly and acted very strongly to address the needs of our deficient bridges across the Nation. I spoke out on the floor yesterday about the number of bridges that were deficient across our country, the imperative that we have in moving forward to make sure that they are taken care of, and on a very strong bipartisan vote we approved yesterday a \$1 billion increase in Federal funding for bridges. That was, I remind everyone, a historic 25-percent increase in Federal bridge funding.

That amendment won't allow us, obviously, to fix every deficient bridge, but it is a historic increase, and it does set the priority of this bill in moving forward to address this very critical need that I share the concern of the Senator from Oklahoma about. We cannot, however, let all our other transportation and all of our other housing priorities be ignored to address the bridge problem.

Yes, we are all very focused on what happened because of Minnesota. But having worked on this bill for a number of years, and worked with my colleague from Missouri, we have had hearings on safety and infrastructure in this country that need to be addressed. The FAA needs to be addressed, we need to deal with our Nation's highways, and there are a number of critical housing projects. We

have to balance all of those priorities, and I think we have done a very good job in this bill of doing that, and then adding \$1 billion yesterday to address the bridge problem.

The long-term solution to our need to address our underinvestment in infrastructure is going to have to come about within the Transportation authorization bill that will be debated sometime in the future. My colleague, Senator BOND, has been a leader on that committee, and we need to do a thorough look at the revenues available in the trust funds. We have talked about that on this floor through our bill. We know that needs to be addressed. We have talked to the Finance Committee. It does need to be addressed and will be addressed with this Congress, and in the coming years.

But I want to remind my colleagues that the vast majority of our transportation earmarks that are in this bill require a match, and not just a small match but an overmatch by local communities that have set the priorities for these projects and brought them to the attention of Members who have then brought them to us and to our committee.

As we move to a vote on the amendment that has been offered by the Senator from Oklahoma, I remind everyone that if it passes, it would have the impact of bringing many of our multi-billion-dollar projects to a complete halt. His amendment would not just terminate highway projects, it would also stop major transit projects that many Senators have come to our committee and talked about. They are currently under construction, and we are funding them in the Federal Transit Administration. These are projects that are working their way through the pipeline. If we were to wipe them out with this amendment, construction contracts across the country for these transit projects would be halted and cause a tremendous amount of difficulties and probably challenges within those contracts as well.

Those contracts include the Jacksonville Rapid Transit System in Florida, the Regional Rail Project in Pennsylvania, the South County Commuter Rail, Wickford Junction Station in Rhode Island, transit projects in Colorado, Connecticut, Maryland, Minnesota, New York, Virginia, another one in Virginia, Washington, Arizona, California, Colorado, Illinois.

Madam President, I refer all of my colleagues to the Transportation bill, all of these projects that are now under construction that have full funding grant agreements would be brought to a halt if this amendment were to pass.

So besides all the other arguments, I encourage Members to understand what the impacts of this amendment are should it pass on the Senate floor today.

Now, let me, before we go to a moment of silence in just a minute, Madam President, remind my colleagues that the IG report that the

Senator from Oklahoma referred to today does refer to past practices of this Congress. We came into session in January of this year understanding the need to take a look at our processes within the appropriations. We understood the impact from past practices that were under scrutiny, and we addressed them very clearly.

This Congress has now sent a very comprehensive ethics reform law to the President, and we are awaiting his signature. That law includes some new procedures that require a great deal of clarity and transparency that have not been required ever before in Congress. But even before we sent that law to the White House, the Appropriations Committee, under the direction of our chairman, Senator BYRD, and Ranking Member COCHRAN, said we are not going to wait for a law to be enacted. We imposed new rules that require new procedures under the ethics reform bill. And this bill, this Transportation bill, in working through our process, has directly followed those new rules and the new rules of the ethics bill that have been sent to the President.

Every Senator who asked for an earmark was required to certify that there was no pecuniary interest in their earmark request, and each and every one of those certifications is now available for any Senator to look at on the Web for review. Every earmark is identified with the Senator who requested it in the CONGRESSIONAL RECORD. You can look on the Web site to see who is there. So we are complying with what this Senate has said we need to do.

I would also remind all of us that in addition to those reforms, Senator BOND and I worked to develop a new procedure within the Transportation Housing Subcommittee, and under the procedures we have established, each and every earmark has to be fully consistent with the mission of the Department of Transportation or the Department of Housing and Urban Development. So we recognized that past practices have brought us to a point today where we have to fully look at each and every one of these earmarks. We make sure they are consistent with the funding requirements of that bill, and they are seeing the light of day, as we will see today as we face a number of amendments about them.

I want to make one final point before we move to this important moment of silence that is going to occur, and that is, the Senator from Oklahoma is essentially arguing that bureaucrats in Washington, DC, make every decision about funding across the Nation.

Madam President, I know I go home every weekend and I talk to community leaders, I talk to mayors, I talk to members of numerous community projects, and I listen to what their needs are. There is no bureaucrat in any department of this United States Government in Washington, DC, who takes the time that most of us do to go home and really understand what the needs of our communities are and to

come back here and fight for them. That is what we do. That is our job, and we are responsible for that. I take a back seat to no one in working hard to represent the interests of my State.

Finally, Madam President, one other point. The Senator from Oklahoma said he only wants to see authorized funding being done. I would remind all my colleagues, if we move to that, the State Department hasn't been authorized for years, the FAA authorization will run out this year, the Older Americans Act, the No Child Left Behind Act—all extremely important business we need to accomplish. But if we move to a point that says no money except authorized, a number of critical programs in this country will be subject to cutback. I don't think that is what any of us intend to do.

Madam President, we are moving rapidly to a very important moment in the Senate, and I notice many of my colleagues are coming to the floor right now. I ask that all of us listen to our majority leader at this point, and I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, in 10 seconds, I will ask that the Chair announce the Senate will stand for a moment of silence.

#### COMMEMORATING THE SIXTH ANNIVERSARY OF THE SEPTEMBER 11 ATTACK

Mr. REID. Madam President, we will now begin a moment of silence honoring the 9/11 victims and their families.

The PRESIDING OFFICER. Under the previous order, the Senate will observe a moment of silence in commemoration of the sixth anniversary of the September 11 attack.

(Moment of silence)

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, 6 years ago today, 2,974 men, women, and children became innocent victims to a cowardice and hatred we will never understand. I remember very clearly watching from the windows of the Capitol, S-219, as smoke billowed from the Pentagon in the clean morning air.

I remember the care taken amidst the panic to ensure everyone was evacuated safely when word came of another airplane heading toward the U.S. Capitol. I remember how our voices joined to sing "God Bless America" on the Capitol steps, which was our way of showing the country that its Government was still whole.

But what I remember most was how our Nation stood as one, in lines to give blood, stretching long hours; the food and clothing banks overflowing with donations; contributions, financial in nature pouring in, many giving more than they could afford to help families who had literally lost everything.

As our country stood as one, the world stood with us. The headline of