that if the States permit those—that 250 percent of the poverty level—to be able to participate in the program, they can adjust premiums, the copays, and the deductibles in order to make it fair. Just a blanket ''no.'' Just a blanket ''no.'' What is most baffling is that the President has consistently threatened this veto.

This chart shows what the costs are. This is really an issue of priorities. A 5-year CHIP reauthorization, $35 billion; 1 year of Bush's tax cut for the wealthiest 1 percent, $72 billion; and this is 1 year in Iraq, $120 billion. So $35 billion for 5 years for children; 1 year in Iraq, $120 billion.

Here is another way of putting it. Around here, we express our views on priorities, and these are the priorities we have a chance to effect. A matter of priorities: the cost of Iraq, $333 million a day; the cost of CHIP, $19 million—$19 million to $333 million. We believe this is a bargain and something which is absolutely essential if we are going to look down the road at a younger generation that is going to be healthy and prosperous and learning. That is going to be key to the United States in terms of our ability to compete worldwide in this knowledge economy. We have to have young people who are gifted, talented, smart, and able, with a knowledge of the economy. It is essential if we are to preserve our national security and it is essential if we are going to preserve the institutions our Founding Fathers bequeathed to us, that our young people are able to function and work in order to guarantee the real rights and liberties which we cherish. All of this starts with having healthy children—healthy children built on the program which the President himself endorsed.

I was there at the time the President strongly supported the way we were going to have the Medicare prescription drug program, and he fought for that. He was able to successfully gain it. Now he says it is unacceptable. Now he says it is unacceptable. He complains about the cost. But this doesn't cost the taxpayer a nickel; it will cost in terms of an increase in the cost of cigarettes.

Finally, these children will be healthier, and therefore the savings over the period of years is going to be important and significant.

The children of America should not become the latest casualties of this administration. The CHIP bill before us is a genuine bipartisan agreement that will help children in communities across the Nation and provide coverage to about 4 million children who would otherwise be uninsured. The bill moves us forward together, Republicans and Democrats alike.

The support this legislation has from Republican Governors as well as Republican members here—particularly my colleague and friend, Senator HATCH from Utah, Senator GRASSLEY, and others—is commendable. They understand exactly the reasons and the justification for this legislation. Quality health care for children isn't just an interesting option or a nice idea. It is not just something we wish we could do. It is an obligation. It is something we have to do, and it is something we can do today. So I will urge my colleagues to vote for this bill.

This legislation will be before the House of Representatives this afternoon. Hopefully, we will have a strong vote over there and we will get that legislation at the earliest possible time.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE MATTHEW SHEPARD ACT

Mr. KENNEDY. Madam President, I would like to speak for a moment regarding the Hate Crimes Amendment. At a time when our ideals are under attack by terrorists in other lands, it is more important than ever to demonstrate that we practice what we preach, and that we are doing all we can to root out the bigotry and prejudice in our own country that leads to violence here at home. Now more than ever, we need to act against hate crimes and send a strong message here at home and around the world that we will not tolerate crimes fueled by hate.

Since the September 11 attacks, we have seen a shameful increase in the number of hate crimes committed against Muslims, Sikhs, and Americans of Middle Eastern descent. Congress has done much to respond to the vicious attacks of September 11. We are doing all that we can to strengthen our defenses against hate that comes from abroad. We have spent billions of dollars in the war on terrorism to ensure that international terrorist organizations such as al-Qaida are not able to carry out attacks within the United States. There is no reason why Congress should not act to strengthen our defenses against hate that occurs here at home.

In Iraq and Afghanistan, our soldiers are fighting for freedom and liberty—they are on the front line fighting against evil and hate. We owe it to our troops to uphold those same principles here at home.

Hate crimes are a form of domestic terrorism. They send the poisonous message that some Americans deserve to be victimized solely because of who they are. Like other acts of terrorism, hate crimes have an impact far greater than the impact on the individual victims. They are crimes against entire communities, against the whole nation, and against the fundamental ideals on which America was founded. They are a violation of all our country stands for.

We are united in our effort to root out the cells of hatred around the world. We should not turn a blind eye to acts of hatred and terrorism here at home. We should not shrink now from our role as the beacon of liberty to the rest of the world. The national interest in condemning bias-motivated violence in the United States is strong, and so is our interest in condemning bias-motivated violence occurring world-wide. When the Senate approves this amendment, we will send a message about freedom and equality that will resonate around the world.

Hate crimes violate everything our country stands for. These are crimes committed against entire communities, against the Nation as a whole and the very ideals on which our country was founded.

The time has come to stand up for the victims of these senseless acts of violence—victims like Matthew Shepard, for whom this bill is named, and who died a horrible death in 1998 at the hands of two men who singled him out because of his sexual orientation. Nine years after Matthew's death—9 years—we still haven't gotten it done. How long are we going to wait?

Senator SMITH and I urge your support of this bipartisan bill. The House has come through on their side and passed the bill. Now it is time for the Senate to do the same. This year, we can get it done. We came close twice before. In 2000 and 2002, a majority of Senators voted to pass this legislation. In 2004, we had 65 votes for the bill and it was adopted as part of the Defense authorization bill. But—that time—it was stripped out in conference.

The President has threatened to veto this legislation, but we can't let that threat stop us from doing the right thing. Let's display the same kind of courage that came from David Ritcheson, a victim of a brutal hate crime that scarred him both physically and emotionally. This spring, David testified before the House Judiciary Committee. He courageously described the horrific attack against him the year before—after what had been an enjoyable evening with other high school students near his home in Spring, TX.

Later in the evening however, two persons attacked him and one attempted to carve a swastika into his chest. He was viciously beaten and burned with cigarettes, while his attackers screamed terrible epithets at him. He lay unconscious on the ground for 9 hours and remained in a coma for several weeks. After a very difficult recovery, David became a courageous and determined advocate. Tragically, though, this life-changing experience exacted its toll on David and recently he took his own life. He had tried so hard to look forward, but he was still haunted by this brutal experience.

My deepest sympathy and condolences go out to David's family and

friends coping with this tragic loss. David's death shows us that these crimes have a profound psychological impact. We must do all we can to let victims know they are not to blame for this brutality, that their lives are equally valued. We can't wait any longer to act.

Our amendment is supported by a broad coalition of 210 law enforcement, civic, disability, religious and civil rights groups, including the International Association of Chiefs of Police, the Anti-Defamation League, the Interfaith Alliance, the National Sheriff's Association, the Human Rights Campaign, the National District Attorneys Association and the Leadership Conference on Civil Rights. All these diverse groups have come together to say now is the time for us to take action to protect our fellow citizens from the brutality of hate-motivated violence. They support this legislation, because they know it is a balanced and sensible approach that will bring greater protection to our citizens along with much needed resources to improve local and State law enforcement.

Our bill corrects two major deficiencies in current law. Excessive restrictions require proof that victims were attacked because they were engaged in certain ''federally protected activities.'' And the scope of the law is limited, covering hate crimes based on race, religion, or ethnic background alone.

The federally protected activity requirement is outdated, unwise and unnecessary, particularly when we consider the unjust outcomes of this requirement. Hate crimes now occur in a variety of circumstances, and citizens are often targeted during routine activities that should be protected. All victims should be protected—and it is simply wrong that a hate crime—like the one against David Ritcheson—can't be prosecuted federally because it happened in a private home.

The bill also recognizes that some hate crimes are committed against people because of their sexual orientation, their gender, their gender identity, or their disability. Passing this bill will send a loud and clear message. All hate crimes will face Federal prosecution. Action is long overdue. There are too many stories and too many victims.

We must do all we can to end these senseless crimes, and I urge my colleagues to support cloture on this amendment and to support its passage as an amendment to the DOD authorization bill.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Missouri, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 5 p.m.

Thereupon, the Senate, at 3:32 p.m., recessed until 5 p.m. and reassembled when called to order by the Presiding Officer (Mr. BIDEN).

The PRESIDING OFFICER. The Senator from Michigan.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, at 5:01 p.m., the Senate recessed subject to the call of the Chair and reassembled at 5:05 p.m. when called to order by the Presiding Officer (Mr. SALAZAR).

The PRESIDING OFFICER. The Senator from Michigan.

ORDER OF PROCEDURE

Mr. LEVIN. Mr. President, I ask unanimous consent that Senator BAUCUS be recognized for up to 6 minutes as in morning business and then we return to the bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Montana.

CHIP

Mr. BAUCUS. Mr. President, King David sang:

> How good and pleasant it is when brothers live together in unity!

When it comes to work here in Congress, the Children's Health Insurance Program has been as close to that ideal as a major piece of legislation can be. It began 10 years ago, with Senators working together across the political spectrum: Senators ORRIN HATCH and TED KENNEDY; Senators JOHN CHAFEE and JAY ROCKEFELLER. I was proud to have been part of that.

It passed overwhelmingly 10 years ago, and the President signed it into law. It worked.

The Children's Health Insurance Program brought people together across political divides because CHIP was, and always has been, about helping kids. CHIP has been about helping young Americans who, through no fault of their own, live in working families who cannot afford expensive private health insurance. It is about kids. It is about health. It is about low-income kids.

CHIP is about kids going to the doctor. It is about kids having checkups. It is about kids getting vaccinations. It is about kids seeing the dentist.

Healthy children are more likely to go to school. They are more likely to do well in school. They are more likely to get a good job after school. They are less likely to end up on welfare. They are more likely to become a productive member of the workforce.

The Children's Health Insurance Program has been a success. Since 1997, the share of all American children without health insurance dropped by a fifth, while the number of uninsured adult Americans increased. For our country's poorest children, the uninsured rate has dropped by a third.

Governors from both parties support the Children's Health Insurance Program. Two Presidents of different parties have supported and expanded CHIP.

This year, we worked together to improve and extend the program. Senators ORRIN HATCH and JAY ROCKEFELLER, CHUCK GRASSLEY and I worked very closely together, with many meetings, working as hard as we could, focusing on kids. We cooperated in the finest tradition. I thank my colleagues for the hundreds of hours they put into that effort.

Some told me: Put CHIP in reconciliation. That is the fast-track process we use sometimes around here. Some said: Use the fast-track budget process to pass CHIP, so you do not have to get big majorities to get things done. You do not have to worry about 60 votes. But I said: No. CHIP has always been a consensus bill. We would make CHIP a consensus bill again this year. It has in the past. It should always be.

That is what we did. The Finance Committee reported the CHIP bill out by a vote of 17 to 4, strongly bipartisan. The Senate passed it by a vote of 68 to 31. This evening, the House of Representatives will pass essentially the same CHIP bill we passed in the Senate.

Now it is time for us to pass this bill and send it to the President. When we do, it will be time for the President to show he is also a uniter, he is not a divider but a uniter. It will be a time for the President to act in the best traditions of compassionate conservatism. It will be a time for the President to sign this bill.

Let us show how good and pleasant it can be for Washington to work together in unity. That is what our people want. That is what the people who sent us here want. They want us working together. They do not like big fights, so long as we are doing what they regard is basically, essentially the right thing. This is that, clearly. So let us help get health care to kids who need it, and let us enact this CHIP bill into law.