

coverage. It leaves millions of kids still without health insurance and millions of working parents and working adults in a similar uninsured status. But it is progress.

The President's proposal to add just \$5 billion over the next 5 years isn't enough. At that level, hundreds of thousands of people will likely lose coverage. At that level, we start moving backward, pushing kids and families out of coverage and increasing the number of uninsured. This is no surprise. This President has seen a dramatic increase of uninsured children for the first time since 1998, since he took office. The number of uninsured children rose to 8.7 million in 2006, up from 8 million in 2005—a 9-percent increase in 1 year.

It is time to reauthorize the children's health program before it expires in a few days. What this bill does is strengthen a successful bipartisan program.

It allows States to cover more than 9 million children who do not have health insurance. The compromise bill will allow 6.6 million children to maintain coverage and allow States to reach almost 4 million more. The House and Senate have worked out a delicate bipartisan compromise. We know it is time to put party labels aside and do something about health care, particularly for our children.

How do we pay for it? It is an honest question, and a good one. The investment in the Children's Health Insurance Program is paid for by increasing the Federal tax on cigarettes, with proportional increases for other tobacco products.

I know there are some people who think this is unfair to smokers. But I have to tell them, their habit, their addiction to nicotine and tobacco comes at great expense not only to them personally but to this Nation. We know higher tobacco prices will make it less likely kids will use tobacco products. So it is a win-win situation. You see, if these tobacco companies do not hook our kids at an early age, while they are still kids and have not thought it through, they might never get them addicted.

So you see, the vast majority of smokers today started smoking before the age of 16. The addiction starts, and it doesn't end until one out of three of them die from this tobacco addiction.

What stops a kid from smoking? Well, sometimes good parental advice or more—and a high price. When tobacco costs a lot of money, kids don't buy it. It is a simple fact. It is economics. If there is one thing you want to do to stop kids from becoming addicted to tobacco, raise the price of the product. Each time you raise it a nickel or a dime or a quarter or 50 cents, you end up with fewer kids smoking. That is what is going to happen. So we will not only raise money from the tobacco tax to pay for health insurance for kids, we will have fewer kids addicted to tobacco.

In a poll conducted for the Campaign for Tobacco Free Kids, two-thirds of those interviewed—67 percent—favor this tax increase across America; 28 percent oppose it. Moreover, nearly half—49 percent—strongly favor it. Only 20 percent strongly oppose it.

It is the right thing to do for our kids' health and for the public's health. We have had good, bipartisan cooperation on this measure. It has been our highest priority since the Democrats took control of Congress at the beginning of this year. We have tried to work together, and we have worked together successfully.

I want to especially salute, on our side of the aisle, Senator MAX BAUCUS, chairman of the Finance Committee, who has been working on this very closely with Senator CHUCK GRASSLEY, a Republican from Iowa. Senator GRASSLEY, Senator HATCH, and others have really shown extraordinary political courage in coming together to support this measure.

Now we have to convince the President. The President said in his statement last week:

Members of Congress are putting health coverage for poor children at risk so they can score political points in Washington.

Well, I am sorry to say I disagree with the President on this. We are working with the President's party, many Republicans in the Senate and in the House, to improve this important program.

Last night, on the House floor, there was a vote on this program, 265 to 159. Forty-five Republicans joined almost all of the Democratic House Members in support. It is a shame the President refuses to consider the needs of millions of families who would be benefited from additional children's health insurance coverage.

Let me close by saying a word about the cost of this program. This program is likely to cost us \$6 billion a year. Mr. President, \$6 billion is a substantial sum of money to add more children to health insurance coverage. Measure that \$6 billion a year against this war—a war that costs us \$12 billion a month, a war for which this President will come and ask \$200 billion in the next 2 weeks.

But this measure that costs \$6 billion a year is an amount of money that pales in comparison with what the President is going to ask us to continue to spend on the war in Iraq. His request will be near \$200 billion. Mr. President, \$200 billion for a war in Iraq, \$200 billion for helping the people of Iraq, the President believes we can afford. But he argues we cannot afford \$6 billion for more health insurance for America's children.

I believe a strong America begins at home. It begins with strong schools and strong families and strong communities and strong neighborhoods. And it begins with health care—health care to bring peace of mind to parents who otherwise worry that tomorrow that earache may turn into something

worse, or a strep throat or a child struggling with asthma or diabetes.

These are kids who need basic health protection and do not have it today. They are not the poorest of the poor. Those kids already have help from our Government. These kids I am talking about are the children of working families, working families who, unfortunately, have no health insurance at their workplace. We are trying to expand the coverage of health insurance.

The President says it is unfair to private health insurance companies for us to expand this program. I could not disagree more. Private health insurance companies are doing quite well. They do not need any more help from us. The fact that these kids do not have health insurance suggests these private health insurance companies either cannot or will not provide them the coverage they need.

I urge my colleagues, when the measure comes over from the House of Representatives—which it should momentarily—that we should support it, and I hope with numbers that say to the President: Please, for the sake of this country, for the sake of our families, and for the sake of the kids—the millions of kids who will have health insurance coverage—please, do not veto this important children's health insurance bill.

I yield the floor and 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.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 1585

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate now resume consideration of H.R. 1585, and immediately after the bill is reported the debate time be 2 minutes equally divided and controlled between the leaders or their designees with respect to the following pending amendments: Biden amendment No. 2997 and Kyl-Lieberman amendment No. 3017; that each amendment be modified with the changes at the desk, and that no amendments be in order to either amendment prior to the vote; that upon the use or yielding back of time, without further intervening action or debate, the Senate proceed to vote in relation to the Biden amendment, as modified; that upon the disposition of that amendment, there be 2 minutes of debate equally divided and controlled prior to a vote in relation to the Kyl-Lieberman amendment, as modified; that each amendment be subject to a 60-vote threshold, and that if the amendment does not achieve that threshold, it be withdrawn; and that the second vote in this sequence be

limited to 10 minutes; further that upon disposition of these amendments, the next amendment in order be Coburn amendment No. 2196.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I want to make an observation and thank all the people who were involved in this effort. For our colleagues who might be listening, the reason there is an agreement and there will be no objection is because people on both sides of the aisle were willing to make some concessions to the others with regard to the wording of these two resolutions. I would hope they would be both strongly supported.

I have no objection.

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

Mr. LEVIN. Mr. President, I also would give notice that it is our intention, since we are alternating back and forth, that the next amendment we will attempt to call up will be the Webb amendment No. 2999, but that is not part of the UC agreement.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1585, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Nelson (NE)(for Levin) amendment No. 2011, in the nature of a substitute.

Warner (for Graham-Kyl) amendment No. 2064 (to amendment No. 2011), to strike section 1023, relating to the granting of civil rights to terror suspects.

Kyl-Lieberman amendment No. 3017 (to amendment No. 2011), to express the sense of the Senate regarding Iran.

Biden amendment No. 2997 (to amendment No. 2011), to express the sense of Congress on federalism in Iraq.

Reid (for Kennedy-Smith) amendment No. 3035 (to the language proposed to be stricken by amendment No. 2064), to provide Federal assistance to States, local jurisdictions, and Indian tribes to prosecute hate crimes.

Motion to recommit the bill to the Committee on Armed Services, with instructions to report back forthwith, with Reid amendment No. 3038, to change the enactment date.

Reid amendment No. 3039 (to the instructions of the motion to recommit), of a technical nature.

Reid amendment No. 3040 (to amendment No. 3039), of a technical nature.

Casey (for Hatch) amendment No. 3047 (to amendment No. 2011), to require comprehensive study and support for criminal investigations and prosecutions by State and local law enforcement officials.

The amendments (No. 2997), as modified, and (No. 3017), as modified, are as follows:

#### AMENDMENT NO. 2997, AS MODIFIED

At the end of subtitle C of title XV, add the following:

#### SEC. 1535. SENSE OF CONGRESS ON FEDERALISM IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) Iraq continues to experience a self-sustaining cycle of sectarian violence.

(2) The ongoing sectarian violence presents a threat to regional and world peace, and the longterm security interests of the United States are best served by an Iraq that is stable, not a haven for terrorists, and not a threat to its neighbors.

(3) A central focus of al Qaeda in Iraq has been to turn sectarian divisions in Iraq into sectarian violence through a concentrated series of attacks, the most significant being the destruction of the Golden Dome of the Shia al-Askariyah Mosque in Samarra in February 2006.

(4) Iraqis must reach a comprehensive and sustainable political settlement in order to achieve stability, and the failure of the Iraqis to reach such a settlement is a primary cause of violence in Iraq.

(5) Article One of the Constitution of Iraq declares Iraq to be a "single, independent federal state".

(6) Section Five of the Constitution of Iraq declares that the "federal system in the Republic of Iraq is made up of a decentralized capital, regions, and governorates, and local administrations" and enumerates the expansive powers of regions and the limited powers of the central government and establishes the mechanisms for the creation of new federal regions.

(7) The federal system created by the Constitution of Iraq would give Iraqis local control over their police and certain laws, including those related to employment, education, religion, and marriage.

(8) The Constitution of Iraq recognizes the administrative role of the Kurdistan Regional Government in 3 northern Iraqi provinces, known also as the Kurdistan Region.

(9) The Kurdistan region, recognized by the Constitution of Iraq, is largely stable and peaceful.

(10) The Iraqi Parliament approved a federalism law on October 11th, 2006, which establishes procedures for the creation of new federal regions and will go into effect 18 months after approval.

(11) Iraqis recognize Baghdad as the capital of Iraq, and the Constitution of Iraq stipulates that Baghdad may not merge with any federal region.

(12) Despite their differences, Iraq's sectarian and ethnic groups support the unity and territorial integrity of Iraq.

(13) Iraqi Prime Minister Nouri al-Maliki stated on November 27, 2006, "[t]he crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians".

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should actively support a political settlement in Iraq based on the final provisions of the Constitution of Iraq that create a federal system of government and allow for the creation of federal regions, consistent with the wishes of the Iraqi people and their elected leaders;

(2) the active support referred to in paragraph (1) should include—

(A) calling on the international community, including countries with troops in Iraq, the permanent 5 members of the United Nations Security Council, members of the Gulf Cooperation Council, and Iraq's neighbors—

(i) to support an Iraqi political settlement based on federalism;

(ii) to acknowledge the sovereignty and territorial integrity of Iraq; and

(iii) to fulfill commitments for the urgent delivery of significant assistance and debt relief to Iraq, especially those made by the member states of the Gulf Cooperation Council;

(B) further calling on Iraq's neighbors to pledge not to intervene in or destabilize Iraq and to agree to related verification mechanisms; and

(C) convening a conference for Iraqis to reach an agreement on a comprehensive political settlement based on the federalism law approved by the Iraqi Parliament on October 11, 2006;

(3) the United States should urge the Government of Iraq to quickly agree upon and implement a law providing for the equitable distribution of oil revenues, which is a critical component of a comprehensive political settlement based upon federalism;

(4) the steps described in paragraphs (1), (2), and (3) could lead to an Iraq that is stable, not a haven for terrorists, and not a threat to its neighbors; and

(5) nothing in this Act should be construed in any way to infringe on the sovereign rights of the nation of Iraq.

At the end of subtitle C of title XV, add the following:

#### SEC. 1535. SENSE OF SENATE ON IRAN.

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

(1) General David Petraeus, commander of the Multi-National Force-Iraq, stated in testimony before a joint session of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives on September 10, 2007, that "[i]t is increasingly apparent to both coalition and Iraqi leaders that Iran, through the use of the Iranian Republican Guard Corps Qods Force, seeks to turn the Shi'a militia extremists into a Hezbollah-like force to serve its interests and fight a proxy war against the Iraqi state and coalition forces in Iraq".

(2) Ambassador Ryan Crocker, United States Ambassador to Iraq, stated in testimony before a joint session of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives on September 10, 2007, that "Iran plays a harmful role in Iraq. While claiming to support Iraq in its transition, Iran has actively undermined it by providing lethal capabilities to the enemies of the Iraqi state".

(3) The most recent National Intelligence Estimate on Iraq, published in August 2007, states that "Iran has been intensifying aspects of its lethal support for select groups of Iraqi Shia militants, particularly the JAM [Jays al-Mahdi], since at least the beginning of 2006. Explosively formed penetrator (EFP) attacks have risen dramatically".

(4) The Report of the Independent Commission on the Security Forces of Iraq, released on September 6, 2007, states that "[t]he Commission concludes that the evidence of Iran's increasing activism in the southeastern part of the country, including Basra and Diyala provinces, is compelling... It is an accepted fact that most of the sophisticated weapons being used to 'defeat' our armor protection comes across the border from Iran with relative impunity".

(5) General (Ret.) James Jones, chairman of the Independent Commission on the Security Forces of Iraq, stated in testimony before the Committee on Armed Services of the Senate on September 6, 2007, that "[w]e judge that the goings-on across the Iranian border in particular are of extreme severity