

The tradition of America is that we rise to the occasion. Americans have a history of meeting the challenges that we face together. Each generation has met obstacles and overcome them. For Congress's part, we must be honest and straightforward with the American people about the nature of the challenges facing our Nation.

Unfortunately, in some respects, Congress has not lived up to its end of the bargain. We have been using sleight of hand and budget gimmicks to mask our out-of-control spending habits. Over the past 5 years, Congress has been underfunding defense in the regular appropriations process in order to shift some of those funds into what are called other discretionary programs that are nondefense items.

The game being played, with a wink and a nod, is that if we underfund defense in the regular appropriations process, we will then make defense whole with what are called emergency supplemental bills. In some instances, Congress has shifted as much as \$11.5 billion from defense to nondefense spending in just 1 single year. We know that emergency spending has increased substantially in each of the last 5 years.

I have a chart to illustrate this. In the years 1990 to 1993, under the first President Bush, we had a total of \$115 billion in emergency supplementals. During the Clinton administration, the total was just about the same, \$115 billion. Since President Bush has been in office, there have been a total of \$585 billion in emergency supplementals. Now, we have had 9/11, Katrina, and we have had the war against Islamic extremists around the world, including the wars in Afghanistan and Iraq, that account for most of that spending but not for all of it.

This increased reliance on supplementals coincides exactly with the same time period in which defense has been underfunded. The effects of this gimmick are not felt just in 1 year either. Because of the way we do budgeting, called baseline budgeting, money that is shifted from defense in 1 year is really a permanent shift in funding. And, as a result, a \$1 billion shift represents not only a shift of \$1 billion this year, but that is put in the baseline next year and adds up cumulatively in perpetuity.

Let me point out exactly how this works and illustrate it. In 2002, \$1.9 billion in new spending was shifted from the Department of Defense. That new spending is built into the baseline in the next year. The green part of the graph is from the previous year. The red part on top of that is the amount that defense was underfunded and shifted into other programs that year. Take that and shift it into the next year, and on and on, where we have a total of 4 years later built into the baseline the \$29 billion that we have shifted from defense into other programs. That is one of the reasons spending is out of control in Wash-

ington, DC. What was labeled as defense spending is not spent on defense and is then being made up in supplemental appropriations bills. Which is a clever way to disguise increased spending in other places. People in Washington have talked about spending around here. They say we have held the line on spending, except for defense-related items. That is not true. We have actually been playing a smoke and mirrors game, and this chart illustrates that.

I believe what we are doing is not honest with the American people, and we have the annual budget deficits as a result of that. I mentioned before that it is important for us to be able to offer amendments. I would not be able to offer an amendment if cloture is invoked on this bill, and we should not cut off debate. This would be considered a nongermane amendment. It would not survive cloture, even though the point of this bill is to require legislative transparency. We are trying to make Congress' actions transparent and to clean up the budget process, however, the majority is trying to cut off debate on these critical reforms.

I am going to have one last chart to demonstrate the effect of this budget gimmick. The total effect of underfunding defense and playing this game has cost the American people. This last chart, when one totals the cost of this gimmick up, is \$84 billion. We have shifted \$84 billion by using these budget gimmicks. \$84 billion that was shifted from defense to nondefense programs. Then we backfill the defense accounts with supplemental appropriations.

We need to have honest budgeting around this place. We need to be honest with the American people. If we are going to appropriate money for defense, let's do it for defense. If it has to be for some other program, let's be honest with the American people and stop playing these budget gimmick games.

If we are going to have transparency in Government, we should have transparency in Government. Accountability in government. That is what this bill is supposed to be about. It is what we are telling the American people that we intend to do. This amendment, along with the one I discussed earlier, are very important to ensure that we end the games and that we end the gimmicks. This amendment ensures that we tell the truth to the American people.

Mr. President, I yield the floor.

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

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

The Senator from Maine.

# OFFICE OF PUBLIC INTEGRITY

Ms. COLLINS. Mr. President, last night the Senate voted not to invoke cloture on the ethics and lobbying reform legislation we have been considering for the past couple of weeks. I come to the floor this morning to explain why I voted to continue debate on this bill to which, as the Presiding Officer knows, I am very committed and have worked very hard on in the past Congress.

First, then, let me emphasize that I remain committed to passing a strong lobbying reform and ethics bill. I have said before and I will repeat that before we can conduct the business of the people of this country, it is important that we reform our practices.

We need to strengthen the lobbying rules and the ethics rules to increase disclosure and to ban practices that might call into question the integrity of the decisions we make.

We need to assure the American people that the decisions we make are in their interests, that they are not tainted by undue influence or influence by special interests.

The underlying bill, S. 1, is the same bill that last year was the bipartisan product of the Senate Committee on Homeland Security and Governmental Affairs, which I was privileged to chair. It is a good bill and it remains a good bill.

Over the past week and a half, we have debated and voted on amendments that have further improved the legislation before us, and the Senate is making good progress. However, as much progress as we have made, this bill has not reached the point where we should invoke cloture and cut off debate.

Some observers of the Senate may not understand that invoking cloture means that all amendments to this bill that are not germane can no longer be considered. The term and test for germaneness severely limits the types of amendments that can be considered, and many of these amendments—although they are not technically germane to the bill—are nevertheless very relevant to the bill. And perhaps the most important of these amendments is the Collins-Lieberman amendment that would create an Office of Public Integrity.

I know the Presiding Officer has been a strong supporter of an Office of Public Integrity as well, as has the Senator from Arizona, Mr. MCCAIN. The four of us have worked very hard on that concept.

I strongly believe we will have failed our test of producing a truly strong and complete ethics bill if we leave out the enforcement angle, if we do not create an Office of Public Integrity to conduct impartial, independent investigations of allegations against Members of Congress.

The other provisions of this bill are very important and very good, but we cannot ignore the enforcement piece. We need an Office of Public Integrity.

I realize that leaders on both sides of the aisle disagree with me on this

issue. I realize I am not likely to prevail. But surely we deserve a vote. But if we invoke cloture before there is a vote on the amendment that Senator LIEBERMAN, the Senator from Illinois and the Senator from Arizona and I have offered, our amendment will fall. It will not pass the strict germaneness test, even though it clearly is relevant to the underlying bill. I think that is wrong. I think we deserve a vote on the Office of Public Integrity. People feel strongly on both sides about this issue. It doesn't break down along party lines. As I said, the two leaders of the Senate are both opposed to the concept. But surely they ought to give us a vote. That is all I am asking. Let's have the Senate go on record on whether this independent office should be included in this bill.

I wish to make sure, since there was a lot of debate about this last year, that everyone understands the key role that the Ethics Committee would continue to play. All the Office of Public Integrity would do is to handle the investigative stage. It would still be up to the Ethics Committee to make critical decisions on whether to proceed with the case. The Ethics Committee would decide what is reported publicly. The Ethics Committee would decide whether action to penalize a Member should be taken. It would be the Ethics Committee that would still have tremendous authority in this whole process, but it would be combined with this independent Office of Public Integrity that would ensure an impartial investigation of allegations and, thus, would help restore public confidence in our ethics system. Isn't that what this debate is all about? It is about restoring public confidence that the decisions we are making are made in the best interests of the American people. I believe that an ethics bill without the Office of Public Integrity is an incomplete response to the concerns so clearly expressed by the American people in the elections last fall.

Again, the underlying bill is a good bill. It is essentially the bill that was reported by the Homeland Security and Governmental Affairs Committee last year. We have made it even better with some of the amendments we have adopted. Let's complete the task. Let's go the rest of the way down the road. Let's create an Office of Public Integrity. But if it is the will of this body not to create an Office of Public Integrity, the American people deserve to know that also.

So I want a vote. I am not going to vote to cut off debate on this bill until we get a vote on the Office of Public Integrity. The American people deserve to know where every Member of this body stands on this important issue. There are different views. There are legitimate views both for and against the office, but we deserve a vote on this issue.

Thank you, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PRYOR). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. OBAMA. Mr. President, I ask unanimous consent that I be permitted to speak for up to 15 minutes.

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

#### IRAQ

Mr. OBAMA. Mr. President, I would like to speak briefly on what is a roiling debate not only in the Senate but across the country and that is the President's policy with respect to Iraq. There are countless reasons the American people have lost confidence in the President's Iraq policy, but chief among them has been the administration's insistence on making promises and assurances about progress and victory that do not appear to be grounded in the reality of the facts. We have been told we would be greeted as liberators. We have been promised the insurgency was in its last throes. We have been assured again and again that we are making progress and that the Iraqis would soon stand up so we could stand down and our brave sons and daughters could start coming home. We have been asked to wait, we have been asked to be patient, and we have been asked to give the President and the new Iraqi Government 6 more months and then 6 more months after that and then 6 more months after that.

Now, after the loss of more than 3,000 American lives, after spending almost \$400 billion after Iraq has descended into civil war, we have been promised, once again, that the President's plan to escalate the war in Iraq will, this time, be well planned, well coordinated, and well supported by the Iraqi Government. This time, we didn't have to wait to find out that none of this seems to be the case. Already, American military officials have told the New York Times that there is no clear chain of command between Iraqis and U.S. commanders and no real indication that the Iraqis even want such a partnership. Yesterday, Prime Minister al-Maliki, the person whom the President said had brought this plan to us, the man who is supposed to be our partner in chief for this new plan, told foreign journalists that if the United States would only give his Army better weapons and equipment, our soldiers could go home.

The President's decision to move forward with this escalation anyway, despite all evidence and military advice to the contrary, is the terrible consequence of the decision to give him the broad, open-ended authority to wage this war back in 2002. Over 4 years later, we can't revisit that decision or reverse some of the tragic outcomes, but what we can do is make sure we provide the kind of oversight and con-

straints on the President this time that we failed to do the last time.

I cannot in good conscience support this escalation. It is a policy which has already been tried and a policy which has failed. Just this morning, I had veterans of the Iraq war visit my office to explain to me that this surge concept is, in fact, no different from what we have repeatedly tried, but with 20,000 troops we will not in any imaginable way be able to accomplish any new progress.

The fact is that we have tried this road before. In the end, no amount of American forces can solve the political differences that lie at the heart of somebody else's civil war. As the President's own military commanders have said, escalation only prevents the Iraqis from taking more responsibility for their own future. It is even eroding our efforts in the wider war on terror as some of the extra soldiers will come directly from Afghanistan where the Taliban has become resurgent.

The President has offered no evidence that more U.S. troops will be able to pressure Shias, Sunnis, and Kurds toward the necessary political settlement, and he has attached no consequences to his plan should the Iraqis fail to make progress. In fact, just last week, when I repeatedly asked Secretary Rice what would happen if the Iraqi Government failed to meet the benchmarks the President has called for and says are an integral part of their rationale for escalation, she couldn't give me an answer. When I asked her if there were any circumstances whatsoever in which we would tell the Iraqis that their failure to make progress means the end of our military commitment, she could not give me an answer. This is simply not good enough. When you ask how many more months and how many more dollars and how many more lives it will take to end the policy that everyone now knows has not succeeded, "I don't know" isn't good enough.

Over the past 4 years, we have given this administration every chance to get this right, and they have disappointed us many times. But ultimately it is our brave men and women in uniform and their families who bear the greatest burden for these mistakes. They have performed in an exemplary fashion. At no stage have they faltered in the mission that has been presented to them.

Unfortunately, the strategy, the tactics, and the mission itself have been flawed. That is why Congress now has the duty to prevent even more mistakes and bring this war to a responsible end. That is why I plan to introduce legislation which I believe will stop the escalation of this war by placing a cap on the number of soldiers in Iraq. I wish to emphasize that I am not unique in taking this approach. I know Senator DODD has crafted similar legislation. Senator CLINTON, I believe, yesterday indicated she shared similar views. The cap would not affect the