

humankind. And if they are legitimate, then the Congress of the United States should begin to treat them as legitimate.

It seems to me that in all of its manifestations, these biases against mental health need to be removed. We find them in our statutes relative to Medicaid and Medicare. When it comes to copays, when it comes to reimbursement, the Federal Government has a prejudice against mental health. Why would that be? If you do not have mental health but you have physical health, you do not have health. The mind and body interact in a very direct way, and both are necessary if the American people are to have health.

I do believe the Congress needs to address the biases against mental health. I do believe we should enact mental health parity in insurance law. It is a source of pride to me that my own State of Oregon this past legislative session enacted mental health parity, so that on January 1 of this year, all Oregonians woke up to know that as a matter of law their health care covers mental health as well. And we should do no less as the Federal Government. We need to change this aspect. We need to change it in Medicaid, Medicare, in insurance law, in teaching parity in our medical schools, in our pharmaceutical policies—all of these things must elevate mental health to the same level as physical health.

Another part of mental health, in my own calculation, is a very personal passion of mine; that is, the reauthorization and full funding of the Garrett Lee Smith Memorial Act. There is a plague in this country, an epidemic, if you will, of youth suicide. It begins as depression and sometimes leads to the most tragic of results. It is my hope that this 110th Congress, the House and the Senate, united, will reauthorize and fully fund this great and important act. It is not the whole answer, but it is an important beginning because it incentivizes States to enact prevention and intervention programs—not just States but tribes, colleges, universities—to be able to respond to this issue which is costing the lives of over 3,000 young people a year. I hope we will do that. It is one of the actions the Congress before took which was truly bipartisan, which truly has made a difference in saving hundreds, perhaps thousands, of lives.

Finally, let me speak to access. I think it is a source of some national shame that 46 million Americans are uninsured. It is true that probably half of that number are uninsured by choice. They tend to be young people who would want to spend their money in other ways. But of that 46 million, 9 million of these are children, and that is a national shame.

I believe we need to reauthorize the SCHIP program. SCHIP, along with Medicaid, is one of the central strands in our public safety net. I believe we need to do this because of the 6 million children who are insured by this, some

3 million more are eligible but are not enrolled.

I believe, in addition to this, we need to look at all the good ideas we can find in this Congress to provide insurance coverage for the uninsured. Senator WYDEN of Oregon and I have a proposal for universal catastrophic coverage. We believe that, at least in America, if you lose your health, you should not lose your home.

Mr. President, I believe my time is up. I thank you for the time, and I focus our Nation's attention on a most pressing and urgent family and national urgency, which is health care.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

WASTEFUL SPENDING AMENDMENT

Mr. CORNYN. Mr. President, I rise in support of the amendment pending on the floor, the second look at wasteful spending amendment, otherwise known as the Gregg amendment, after the distinguished Senator from New Hampshire. The truth is, we might call this really the Daschle amendment or the Byrd amendment or the Levin amendment or Murray or Dodd, other Senators who have supported virtually this same proposal on previous occasions. I will explain that more in just a moment.

If we look at this amendment, compared with one offered by the former majority leader, Senator Tom Daschle, when the Democrats were, again, in leadership, we can see how the Gregg amendment corresponds virtually, precisely with the proposal made by then-Democratic majority leader Tom Daschle. It established a fast-track congressional process for consideration of Presidential rescissions. It required congressional affirmation of rescissions. It allowed the President to suspend funds for a maximum of 45 days. It does not permit the President to resubmit rescissions once rejected by the Congress. It allowed rescissions of discretionary funding and targeted tax benefits. It did not allow rescissions of new mandatory programs. That is one area where this differs from the Daschle amendment. The Gregg amendment would permit rescission of new mandatory spending.

I interject, if we are going to get a handle on runaway Federal spending, it is not going to be in discretionary spending alone. We have actually—contrary, perhaps, to popular perception—done a pretty good job limiting non-defense, nonhomeland security discretionary spending. But to paraphrase, that is not where the money is. Where the money is actually in mandatory spending—in entitlement spending, such as Medicare, Medicaid, and Social Security.

So the Gregg amendment quite appropriately addresses rescission of new, not existing, new mandatory spending programs. We can see here that in vir-

tually every respect except two—the one I just mentioned and that only four rescission packages would be permitted annually under the Gregg amendment—there is virtual identity between these two amendments.

Why is this so important? I have to tell my colleagues that as I travel around my State of Texas, there are issues people talk to me about, as with other Members. They are concerned about our lack of border security. They are concerned, obviously, about the war on terror and the way forward in Iraq. But one of the really top three issues that my constituents talk to me about is Federal spending. They worry about the deficit. They worry about the long-term obligation under Social Security and Medicare, a bill that is going to be paid by our children and grandchildren, about the morality of basically putting this burden on their backs in the future. So what this amendment does, this second look at wasteful spending, it allows us to cut out some of the pork, cut out some of the waste in a way that I think responds to this very realistic concern by the American people.

You will note that in 1995, when Senator Daschle offered this amendment, this was, of course, during the Clinton administration—I want to note that—we had 21 Democratic Senators—virtually all of whom, I guess, are still in the Senate—who supported that Daschle amendment. My hope is they would vote for cloture so we can have an up-or-down vote on this Gregg amendment, which, as I showed a moment ago, is virtually identical.

Let's look at some of the quotes back then by distinguished Members of the Senate in support of the Daschle amendment. My hope would be that Senators would remember, perhaps have their recollection refreshed by this exercise in a way that would encourage them to have at least an open mind and possibly even embrace the Gregg amendment today as they did the Daschle amendment back in 1995.

Senator BYRD, the distinguished chairman of the Senate Appropriations Committee, someone who respects congressional prerogative and understands the separation of powers perhaps better than anybody else in this body, said:

I have no problem with giving the President another opportunity to select from appropriations bills certain items which he feels for his political or for whatever reasons, I have no problem with his sending them to the two Houses and our giving him a vote.

That was on March 22, 1995.

Then there is this comment by Senator FEINSTEIN, the distinguished Senator from California. She said:

Really, what a line-item veto is all about is deterrence, and that deterrence is aimed at the porkbarrel. I sincerely believe that a line-item veto will work.

What we are talking about, this so-called rescission provision, is in essence a version of the line-item veto, something Presidents have called for in

the past on both sides of the aisle and something I believe, obviously, there has existed bipartisan support for in the Senate.

Then there is Senator DORGAN, who has said:

Fully 43 Governors have the line-item veto, which suggests to me that it is a power that the President can safely wield . . . That is why I voted for it, and why I am pleased it is now the law of the land.

This was back on April 25, 1996.

Of course, we know what happened to the line-item veto. It ultimately was struck down by the U.S. Supreme Court. That is why we have had to come back with this modification of this rescission package in order to address the Court's concerns and to ensure its constitutionality.

Then there is the distinguished Senator from Delaware, Senator JOE BIDEN, who said:

Mr. President, I have long supported an experiment with the line-item veto power for the President.

That was Senator BIDEN on March 27, 1996.

Then there is Senator DODD who has said:

I support the substitute offered by Senator Daschle.

That is the Daschle amendment.

I believe it is a reasonable line-item veto alternative. It requires both Houses of Congress to vote on a President's rescission list and sets up a fast-track procedure to ensure that a vote occurs in a prompt and timely manner.

There are just a couple of more. Mr. FEINGOLD, the Senator from Wisconsin, said this:

The line-item veto is about getting rid of those items after the President has them on his desk. I think this will prove to be a useful tool in eliminating some of the things that have happened in Congress that have been held up to public ridicule.

That obviously goes with the pork spending, the embarrassing earmarks that we have heard so much about from our constituents, particularly leading up to this last election.

Senator MURRAY said:

I want to give the President the ability to line-item veto all those portions of the appropriations bills that have not been through the hearing and authorization process. All those pork items contribute to our deficit.

I think we have one more from Senator DORGAN, but we have already heard from him. There is one last one from Mr. LEVIN, the distinguished Senator from Michigan. He said:

That so-called expedited rescission process, it seems to me, is constitutional and is something which we can in good conscience, at least I in good conscience, support.

My point is obvious, perhaps, but let me, at the risk of beating a dead horse, say it again. If this was good policy back in 1995 and 1996, what has changed in 2007? I submit the only thing that has changed is that our deficit has increased for many years, part of which is porkbarrel spending which can be eliminated with the kind of cooperation that this particular amendment

would allow. I suggest to our Democratic colleagues—in the spirit of bipartisanship in which we have started this new Congress with the overwhelming bipartisan passage of an ethics and lobby reform bill and consideration of this minimum wage bill with appropriate relief for small businesses when it comes to regulations and tax relief that will attenuate some of the blow—this is an appropriate amendment for us to consider and pass.

I hope the spirit of bipartisanship does not end so early on in this session of the Senate. I know there are many cynics who believe it will die an early death. I am not one of them. I remain hopeful and optimistic that our colleagues on both sides of the aisle will embrace this opportunity to do the right thing for the people of this great country.

I yield the floor.

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

Mr. ISAKSON. Mr. President, how much time is remaining?

The ACTING PRESIDENT pro tempore. Ten minutes.

Mr. ISAKSON. Mr. President, first of all, I commend the Senator from Texas on his remarks. I commend Senator JUDD GREGG on the submission of this amendment. I commend Senator MCCONNELL, the Republican leader, for his insistence on bringing this amendment to the floor of the Senate early. It had been my preference that it be debated during the lobbying reform and ethics bill, S. 1, which we debated last week because the remarks I am going to make tell you how much I think the enhanced rescission and a second look at wasteful spending is so important to end, curb, and finally do away with what has been an abuse in this body for a long time, and that is the abuse of earmarks.

In fact, I want to tell a story. When I first came to the Congress of the United States in 1999, the first budget that I voted on and was passed was a voluminous, huge budget—appropriations bill. It had spending in thousands of different categories, many of which I never even looked at, A, because I was not on the committee that had jurisdiction or, B, because so much of it went into last-minute negotiations in the conference committee on the appropriations bill.

I will never forget a telephone call I got at 8 o'clock in the morning from a reporter, shortly after—about 2 weeks after the passage of an Omnibus appropriations bill. A newspaper reporter called and said to me:

Congressman, why did you vote for a \$50,000 appropriation for a tattoo removal parlor in California?

I said:

I didn't vote for any such a thing.

The reporter said:

Yes, you did. Didn't you vote for the Omnibus budget?

I said:

Yes, I did.

The reporter said:

Well, it was right there in clear view.

I said:

Well, it wasn't in clear view to me.

Well, it turned out, after going through that embarrassing experience, which all of us in this business go through from time to time, I started digging around trying to find the \$50,000 appropriation for a tattoo removal parlor in California. Finally, I found it. It went into the budget on the appropriations bill on the last night of negotiations. It was on something like page 1186, line 33, in small print. The appropriations act we voted on was put on our desk about 8 hours before we voted on it.

I am not a fast reader anyway, but I couldn't read 1,100 pages in 8 hours. I would go blind. And the fact is, Congress was embarrassed, the Representative who put it in there was very embarrassed, but this Representative was very embarrassed. So I introduced legislation the next year to basically put an end to the last-minute earmark that said the earmark had to be in bold type, large fonts, and on the front page of each appropriations act, and had to lay on the desk for 24 hours to at least give us a chance to look at it.

What Senator GREGG has proposed today is the opportunity for us to not only get a second look, but in the case of a lot of these earmarks a first look, at wasteful appropriations. That is why I thought it should have gone on the previous bill we debated last week, the lobbying reform and ethics bill for, you see, if a President of the United States had gotten that omnibus budget and had the right of rescission, that President could have said: I think we ought to strike the \$50,000 for a tattoo removal parlor in California. And under the Gregg proposal, it would come back to the Senate and the House, and we would have to affirm that. I do not think there is a single person in either party, including the author of that earmark 9 years ago, who would not have voted to affirm the President's rescission.

The light of day, sunshine, the power of knowledge, facts are stubborn things. But so often in the appropriations process facts get obliterated or not seen. Appropriations get written in late at night in negotiations between conferees, and we end up with wasteful spending.

This is an outstanding proposal by Senator GREGG. As Senator CORNYN has said, and others who have spoken today have said, it actually reflects what has been approved by Members of both parties in this Senate before. But it makes good, common, horse sense and passes the constitutional test, which is so important.

The President gets four times a year to send rescissions to the Congress. The Congress has to fast-track its response within 8 days. The Congress has to affirm the rescission, which is the

key point in the balance of power between each of the bodies of Government that are so important to our Constitution. It does not give a President unilateral authority, but it forces the light of day on a Presidential decision for us to take a second look at what was probably a mistake that this body might have made.

Lastly, I have had some experience with this process. I had the privilege of representing the great State of Georgia for 17 years in its statehouse, in its State senate. At the time I was in the minority, and the Democratic Party in Georgia was in the majority. A dear friend of mine, a fellow against whom I ran for Governor of Georgia in 1990, and who came to this Senate, Zell Miller, and whom I later replaced in this Senate, a great Georgian—I watched him use the line-item veto, which is legal in Georgia, to cause accountability on the part of legislators, to let the light of day shine on appropriations and, most importantly, to see to it that Georgia was run in a fiscally sound way and we didn't get away with things that we should not have gotten away with.

If it is good enough for the States, it is good enough for the Federal Government. If it passes the constitutional test of the division of power in our Government—legislative, executive, judicial—it ought to be a part of the body of law, and this proposal does.

Most important of all, although all the promotion pieces I have read call this a second look at the budget process, in many cases because of the volume it gives us, as individuals, a first look at a mistake we made. Instead of current law, where once that mistake is made it is there, under this right of rescission we have a second chance at what was a first impression, and we can make the right decision and do the right thing.

The money, when it is struck, goes where it ought to go—to deficit reduction. This country has a serious deficit problem, and it has had a serious spending problem. Enhanced rescission places the responsibility on the President to delineate a mistake and forces us to affirm if that, in fact, was a mistake, and the benefit from that savings goes to reduce the deficit, which is the mortgage on our children's future and the future of our grandchildren.

I am delighted to come to the floor today as a cosponsor of the enhanced rescissions amendment proposed by Senator GREGG to speak in its favor, and I encourage every Member of the Senate to take a second look at this proposal.

It makes sense. It is constitutional. It is the right thing to do.

I yield the floor.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

IRAQ

Mr. DURBIN. Mr. President, there is one moment each year when America comes together, when the leader of our country, our President, in his State of the Union Address, speaks of our experience in the past, our history, and his vision of our Nation's future. It is a rare moment on Capitol Hill, House and Senate together on a bipartisan basis, the Supreme Court, the Cabinet, the diplomatic corps. It is quite a festive and historic—sometimes solemn—gathering. Tonight will be an opportunity for us to gather again for the State of the Union Address. I am looking forward to it.

It comes at a moment in American history when there is a strong emotion across this country, a strong feeling about the war in Iraq. It is a feeling that was made even more intense by the events of this last weekend where we lost so many of our brave soldiers: a helicopter crash from the sky, lives were taken on the ground. At the end of the day, we had lost 3,059 of our best and bravest soldiers, marines, airmen, and sailors in this war in Iraq.

The President will speak of many things this evening. That is his responsibility—from energy to health care to education and beyond. But the issue most dominant in the minds of America is the issue of Iraq. It was certainly the most dominant issue in the November election when the message came through loudly and clearly that it was time to change, it was time for America to step back and reassess our role in Iraq and where we go from here.

Since that election, many important things have happened. The Secretary of Defense, Donald Rumsfeld, resigned, replaced by Robert Gates. The military leadership in Iraq was changed and the President came forward, after a time of deliberation, with his own proposal. That proposal, which we heard a little over a week ago, called for adding more troops in the theater of war in Iraq, some 21,000 more Americans, to join the 144,000 soldiers who are there today.

Most of us have spoken publicly about that in disagreement with the President: our belief that the escalation of the number of troops in Iraq is the wrong way, the wrong direction for our Nation; our belief that 21,000 soldiers cannot stop the civil war that has 14 centuries of fighting behind it; and our belief that 21,000 American lives are too many to ever lose in this kind of dangerous situation.

The President, undoubtedly, will speak to Iraq this evening and the American people will listen closely. But that is not the end of the conversation. The conversation will continue in the Senate where men and women representing States, as I have the honor to do in representing Illinois, will engage

for the first meaningful debate on the war in Iraq in more than 4 years since we passed the use-of-force resolution.

Circumstances have changed dramatically. Reading the resolution today, one would wonder if it even justifies our current presence because it spoke of removing Saddam Hussein, dealing with weapons of mass destruction, stopping the march of nuclear weapons into Iraq. We now know all of those things were either wrong in that original resolution or have become moot by the events that have transpired.

There is an effort underway to make sure this debate on Iraq represents the bipartisan feeling of America, represents the fact that there are Democrats and Republicans and Independents who feel intensely that the current strategy, the current plan the President is pursuing is not the right plan.

The first resolution will be considered by the Foreign Relations Committee this week and is sponsored by Senators BIDEN and LEVIN on the Democratic side and Senator HAGEL on the Republican side.

Yesterday, there was another resolution brought to the attention of the American people, introduced by three Members I respect. Senator JOHN WARNER, former chairman of the Committee on Armed Services, a Republican Senator from Virginia, the lead sponsor, Senator BEN NELSON, a Democrat from Nebraska, and Senator SUSAN COLLINS, a Republican from Maine, are about to introduce a resolution that clearly expresses the sense of Congress about this strategy in Iraq. Much has been written about it. The resolution should speak for itself because these Senators, two Republicans and a Democrat, resolve:

That it is the sense of Congress that—

(1) the Senate disagrees with the "plan" to augment our forces by 21,500, and urges the President instead to consider all options and alternatives for achieving the strategic goals set forth below with reduced force levels than proposed.

The important thing about these resolutions, though they are different in wording, is they all reach the same conclusion. The conclusion is the President's policy, the escalation or augmentation, virtually the same word, is the wrong way to move in Iraq today.

I hope at the end of the day we can come together on a bipartisan basis, that we can cooperate in finding ways to blend these resolutions so we do speak as much as possible with a common bipartisan voice in the Senate. We need to call for the kind of change in the President's policy that the American people asked for in this election.

Our call is not based on politics but based on reality—the reality of the deaths which American troops have endured in this conflict and the reality of the war on the ground, a war which becomes more serious and more violent by the day.