

officials, including President Bashir? Why isn't the international community working together to make sure peace-keeping missions are fully equipped and deployed to eastern Chad and the Central African Republic? Why haven't we lived up to our word to stop the genocide in Darfur?

Mr. Speaker, words are not enough. It is action that is needed. And while we remain silent, while we refrain from taking action and fulfilling our promises, women and children are raped. Homes are being looted. Villages are being burned to the ground. People are dying of hunger and exposure.

Darfur is returning to hell.

#### KEEPING OUR PROMISES TO THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, first I want to commend David Walker for his years of service as U.S. Comptroller General, heading up the Government Accountability Office. Mr. Walker is a highly respected CPA from Atlanta and for the last few years has been trying to be a Paul Revere about the horrible financial condition of the Federal Government. He has appeared before many Congressional committees and on television and has traveled around the country trying to sound the alarm about our \$9 trillion national debt, and, even worse, our \$53 trillion in unfunded future pension liabilities.

Two days ago in the Washington Times he was quoted from testimony he gave about Iraqi oil revenues. "The Iraqis have a budget surplus," Mr. Walker said. "We have a huge budget deficit. One of the questions is who should be paying."

Stewart Bowen, Inspector General for Iraq reconstruction, said increased production, along with the highest oil prices in history, "coalesce into an enormous windfall for the Iraqi government." Mr. Bowen said Iraqi oil revenue is now around \$60 billion, and probably headed higher.

Most estimates are that we have been spending approximately \$12 billion a month on the war in Iraq, a really astounding figure if you stop to think about it. However, even worse, the request for this fiscal year is \$189 billion, or \$15.75 billion a month. This comes out to \$500 million a day.

There is certainly nothing fiscally conservative about the war in Iraq. William F. Buckley, Jr., was an inspiring figure to almost every conservative Republican. In the current issue of the New Republic, John Judis begins an article about Mr. Buckley in this way: "In the last years of his life, William F. Buckley, Jr., who died on February 27 at the age of 82, broke with many of his fellow conservatives by pronouncing the Iraq war a failure. He even expressed doubt about as to whether George W. Bush is really a conserv-

ative, and he asked the same about neoconservatives."

Mr. Buckley wrote in 2004 that if he had known in 2002 what he then knew, he would have opposed the war in Iraq.

More significantly, in June of 2005, he wrote, "A respect for the power of the United States is engendered by our success in engagements in which we take part. A point is reached when tenacity conveys not steadfastness of purpose, but misapplication of pride." Mr. Buckley continued, "It can't reasonably be disputed that if in the year ahead the situation in Iraq continues as bad as it has done in the past year, we will have suffered more than another 500 soldiers killed. Where there had been skepticism about our venture, there will then be contempt."

The major difference is that instead of just 500 more soldiers killed, we have had more than 2,000 killed since Mr. Buckley wrote that. Earlier in 2005 he had written that the time had come to get out.

There is nothing traditionally conservative about the war in Iraq. It is huge deficit spending. It is massive foreign aid. It is placing really the entire burden of enforcing U.N. resolutions on our taxpayers and our military, when conservatives have traditionally been the biggest critics of the U.N. This war has gone against every traditional conservative position.

In addition, our Constitution does not give us the authority to govern Iraq, which is what in reality we have been doing. All this against an enemy whose military budget was only a little over two-tenths of one percent of ours, most of which was used by Saddam Hussein to build castles and protect himself and his family. Iraq was no threat to us whatsoever.

As the conservative columnist Charley Reese wrote, "The war in Iraq was against a country that was not attacking us, did not have the means to attack us, and had never expressed any intention of attacking us. And for whatever real reason we attacked Iraq, it was not to save America from any danger, imminent or otherwise."

Similarly, nationally-syndicated columnist Georgie Ann Guyer wrote a few months after the war started, "Critics of the war against Iraq have said since the beginning of the conflict that Americans, still strangely complacent about overseas wars being waged by minorities in their name, will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empires across the globe."

Finally, Mr. Speaker, we have to choose. Do we keep spending mind-boggling amounts of money in Iraq, or do we keep our promises to our own people? We cannot afford to do both.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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#### A CONSTITUTION THAT ALWAYS LIVES AND NEVER DIES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I applaud your leadership, and I am delighted to have the opportunity to address the day's and the week's events, because many times, as we discuss these matters on the floor of the House, many of our constituents and Americans sometimes wonder the order of our words.

This afternoon we did an important and major leap towards securing this Nation and providing it with the protection of civil liberties. Although in the course of the discussion there may have been accusations, the FISA bill, the amendments to the Senate bill, was the right approach and the right direction to take.

You know, we had an opportunity last evening for a secret session, and I was on the floor questioning the validity of such, because I always believe what we do in America should be in the eyes of America, although we recognize in this time of terrorism there is a necessity for classified documents or top secret documents, but there is never a time to close the door on America's knowledge.

I would not want this debate that many of you may have heard to be characterized as one of a coverup that we are doing something that does not provide the absolute safety and wise direction that America should take. I wanted to simply add to my statements that will be put into the RECORD the idea that this bill provides the opportunity to secure foreign-to-foreign surveillance, but it also avoids the targeting of Americans without the intervention of the court so that if you were, by chance, talking to a relative in a foreign land that might, without your knowledge, be targeted or through some way, might be connected, that would draw surveillance, you can be assured that as an American, unlike the occurrence with Martin Luther King and some Americans during the Vietnam War, that you have the intervention of a court established first in 1978 under President Carter.

We have streamlined that. The language called "reverse targeting" was an amendment that I submitted into the Judiciary Committee that would avoid targeting an American without the intervention of a court, not a court for 6 days or 6 weeks, but an automatic intervention that is given to you within hours.

We have a system where the Attorney General now must, along with the Director of Intelligence, put in guidelines to be able to oversee what happens when an American is targeted. I

can ask any American whether or not that is a reasonable approach. If they study the question, I think they would understand that no intelligence and no opportunity to secure or to capture a terrorist has been intervened with while we have been having these debates, because we had the security of the bill that has been in place, the Protect America Act, for over a year.

Authorities still exist, even through the recess that we will take, to provide the intelligence community with any tools that they will need. But it is a sad state of affairs in America if we allow the terrorists to terrorize us and to, in essence, tear up the Constitution.

That is what we did today. We protected the Constitution, and we ensured that those who are concerned, the telecommunications company, many of them, we know their names, are, in fact, protected.

One, we protect them going forward. Two, we give them a cure for the litigation that is going on today, because we don't prohibit the review of top secret documents in camera. The cases that are going on now, those telecommunications companies will be protected because they will have the ability to review the evidence so that they can convince the court that they were operating within the law.

Going forward, we will get a certified letter from the Attorney General or the Director of Intelligence to say we need information from you. We will tell them that they are not breaking the law. We will also tell them that they will be in compliance with all laws. Out of that they will get absolute immunity to provide our Central Intelligence Agency and others the necessary information that we would have.

I think it is important that debate, sometimes looking as if they are accusatory, and one side looking like they have the upper hand, suggesting that we are in crisis, leaving in a recess, that America is unprotected, needs to be clarified. America will be protected. We do have authority in place that could provide the Central Intelligence or other national intelligence agencies any information that they need.

God knows after 9/11 all of us are committed to the war on terror, but we are all recognizing that a Constitution survives no matter what condition America is in. The Constitution survived the Civil War. It survived World War I. It survived World War II, the Vietnam War. It survived the Korean War, the Gulf War and now the Iraq war.

I would ask America, can we not secure ourselves and keep the civil liberties of Americans and the Constitution intact? Today, in voting for this bill, I proudly supported both concepts. I am grateful to be an American, grateful that we have a Constitution that always lives and never dies.

God bless the soldiers in Iraq and Afghanistan and on the front lines. I look forward to visiting with those soldiers in the next couple of days in Iraq.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

(Mr. WELLER of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHRABACHER) is recognized for 5 minutes.

(Mr. ROHRABACHER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### RESTRICT EARMARKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

Mr. FLAKE. Mr. Speaker, I just want to say a few things about earmarks this week.

Yesterday was not a banner day for Congress. In the House, we approved a budget that had no restrictions on the contemporary practice of earmarking.

In the Senate, they turned down an amendment which would have placed a moratorium on earmarks. It went down bad. It went down 71-29.

There will come a day, and I think it will come soon, when we get rid of the contemporary practice of earmarking.

Now, many in the other body and in this body have tried to defend earmarking by saying that this is a constitutional prerogative, and somehow suggesting and even, some have said, that the Founding Fathers would be rolling over in their graves if they knew we were contemplating a moratorium on earmarks, as if to equate all Federal spending or Congress' power of the purse with earmarking.

There is a place for earmarking. There is a place for Congress to say to

an administration, you are not adequately addressing this area; therefore, we are going to go through the process of authorization, appropriation, and oversight and tell you how we want money spent.

But that's not the contemporary practice of earmarking. The contemporary practice of earmarking is all about hiding your spending, not going through the process of authorization, appropriation and oversight, but rather to circumvent it. That's what it's all about.

When you have a bill that comes to the floor, as we did last year and the year before and the year before, several years with up to 2,500 or 3,000 earmarks in them placed just hours before the bill comes to the floor, that is not the appropriate role of Congress; that is not power of the purse that should be exercised.

That's an attempt to hide spending and to spend in a way that will benefit you politically. That is simply wrong, and I would suggest that the contemporary practice of earmarking, everybody knows it when they see it.

The difference between the proper use of an earmark and an improper use is whether or not you are attempting to hide funding, attempting to have funding slip through the cracks that nobody sees, rather than saying that we are going to authorize, then we are going to appropriate, and then we are going to have oversight.

Another myth that is often put forward is that we have to earmark because that's how we maintain control or oversight on the administration when, in truth, the contemporary practice of earmarking means that we do far less oversight. You can look at it empirically. Over the past decade, decade and a half, as we have seen a ramp-up in the area of earmarking, we have actually seen far fewer oversight hearings in the Appropriations Committee. Believe me, when you have 26,000 earmark requests a year for the Appropriations Committee in the House to deal with, you don't have time or resources or the inclination to do the proper oversight on the rest of the budget.

By earmarking, we are basically giving up our power of the purse. We are giving up our prerogative just to be able to earmark what amounts to about 1 percent of the Federal budget. We are effectively giving up control of the rest of the Federal budget. When you hear people say that we have to keep earmarking the way we are doing in order to control the Federal bureaucracy, that simply doesn't square with reality.

The contemporary practice of earmarking, as we have seen it over the past several years under Republicans and under Democrats, has been a way to hide spending for individual Members' benefits. It has led to corruption, it has led to scandal and will continue to do so until we end it.

I would encourage Members of the House and say that we are going to get