

we go forward and see if we can't accomplish something important for the veterans of our country.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

#### IRAQ SUPPLEMENTAL

Mr. CORNYN. Mr. President, I, too, am confident that we will pass important legislation on a bipartisan basis this week to provide the benefits to veterans that they have earned and that they deserve, but we can't forget the unfinished business of this Congress last December when we wrapped up the fiscal year 2008 appropriations bill and we left a balance of more than \$100 billion that the Department of Defense said it needed to fight the global war on terror.

In other words, it is important to support our veterans, but I would submit it is equally important to make sure we are supporting our troops currently in the fight and in harm's way, and this Congress has an unfortunate record of delaying that and playing political games with that money. It is time that should end.

In the Army alone, this shortfall amounts to \$66 billion. As a result, the Army will run out of pay for Active Duty and National Guard soldiers in June unless Congress acts promptly.

At the same time, funding for extra vehicle armor, hospital construction and renovation, and new service vehicles will dry up. Our troops will not have the resources they need to carry out their mission unless we act soon to pass this emergency supplemental appropriation.

Provincial reconstruction teams will also run out of funding. These teams are an integral part of our strategy in Iraq and go a long way to fostering growth, freedom, and good ties to the Iraqi communities and ensuring we win the battle for hearts and minds as well.

We have also appropriated less than half of what the military leaders in Iraq tell us they need for the Commanders' Emergency Response Program, or CERP, which is essential for continued bottom-up reconciliation efforts. We should not hold this funding

hostage to political gains, and it should not become a vessel for porkbarrel projects and bloated spending.

We should pass a clean emergency supplemental funding bill for our troops as soon as we possibly can, and I hope immediately following the passage of this legislation we are on today.

#### HONORING OUR ARMED FORCES

STAFF SERGEANT JUSTIN YOUNG

Mr. CORNYN. Mr. President, it is my honor to speak today about a young man whose courage and strength have earned him the Silver Star, and more importantly the respect and admiration of all those who have heard about his story.

SSG Justin Young was born in Mesquite, TX, just outside of Dallas. The son of John Young and Kathy Sutton, Justin was a swimmer for the Boerne High School Greyhounds. After graduating, he told his dad he needed to find his priorities and his focus in life. That level of maturity and insight is rare for someone so young, and it already tells you something about the character of Justin Young.

Justin decided what was best for him was to join the U.S. Army. I doubt anyone in this body would deny that the U.S. Army has a long and storied history of taking young men and women with strong character and transforming them into proven soldiers, and also into courageous leaders as well. Justin was no exception.

Just over a year ago, on March 24, Justin and the rest of the 82nd Airborne were conducting operations in Diyala Province in Iraq. As the squad leader with C Troop, Justin led his nine-soldier squad into a compound in Qubbah, Iraq, a location where known enemy fighters were entrenched.

Once inside the compound, Justin and his troops quickly encountered armed insurgents. Justin disarmed and detained a guard before pressing on. In the confusion of the initial entry, Sergeant Young was ambushed by a hidden fighter about 10 feet away. The enemy fired his AK-47 assault rifle, hitting Justin's rifle three times and striking Justin once in the chest. The force of these shots sprayed shrapnel up into Justin's neck and knocked him off his feet.

Injured, and with a broken weapon, Justin killed his attacker and got to his feet. Now, it is difficult for us here in the comfort of our Nation's Capitol to imagine what such a fight for one's life must be like. We can only try to imagine the chaos and confusion, the adrenaline, the pain, and the fear. You wouldn't blame anyone for pulling back after something like that. But, frankly, that is one thing that makes these young men and women so exceptional, and that is what makes them the U.S. Army.

Justin got up, took a confiscated enemy AK-47 and three magazines, and

refusing medical attention, continued to lead his troops through 5 more days of fighting. That is, Mr. President, the kind of courage, strength, and selflessness that ought to leave all of us in awe.

Justin finished out his 15-month assignment in Iraq in August and came home, a hero to many—perhaps not the least of which being his father. Try as he might, his dad John simply could not put into words how proud he was and is of his son. After having dinner with Justin's unit at Fort Bragg, he said simply, "He's unbelievable and so are his friends." Both Justin and his father would be quick to remind us that even though Justin received this medal, it is all the men and women serving in our military who deserve our admiration and respect.

John told me that while "Justin was there for his buddies, they were there for him, too." Soldiers like Justin and his squadmates are a prime example of the great commitment all of our troops share, not only to each other but to our country as well. As such, they serve two of the most noble principles the world will ever know.

What is Justin doing now? Having found his focus and oriented his priorities, with an example of true courage and dedication, Justin reenlisted in the Army just before finishing his first tour. Despite his harrowing experience, Justin stood in the sands of Iraq and he raised his right hand and swore to continue his service to the defense of our great Nation. Recognizing his great courage and leadership, Justin is now training with the hopes of joining the special forces.

That is why I wanted to come to the floor today and honor Justin's exemplary service to our country. He is just one example of the bravery, courage, and strength of thousands of Texans, both past and present, who have served in the U.S. military.

I yield the floor.

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

#### SUPPLEMENTAL APPROPRIATIONS

Mr. KYL. Mr. President, I appreciate my colleague from Texas putting a personal face on this war. Our young men and women are making tremendous sacrifices. We here in the Congress should be willing to do our part to ensure they succeed in their mission. Hearing a story like Justin's simply confirms that we should redouble our efforts to fund what they need to carry out their mission.

The majority leader talked a little bit earlier about delays with the legislation that is currently pending before the Senate. It is going to take us 2 or 3 days, presumably, to complete this legislation that is currently pending—2 or 3 days. That is not a big delay in the Senate. But 14 months is a big delay, and that is the time since the President first asked for the supplemental

appropriations to help fund our troops fighting in Iraq and Afghanistan—14 months ago. That is a real delay. It is because I believe the majority party believed they could delay and delay and thereby apply pressure to accomplish one of two objectives—either put pressure on the administration to back off of the war effort or, knowing we are now really up against a funding crunch, put pressure on the President to accept a lot of unrelated spending, spending that has to do with our pet projects here at home. That is on the theory that the President would have to sign a bill because our troops are so desperate for the funding they need, even if that bill includes a lot of unrelated spending Members of Congress want for their folks back home. We should not submit to what I would refer to as legislative blackmail, to hold our troops hostage, in effect, for this domestic spending. Nothing else explains this 14-month delay.

We have already been told by the Secretary of Defense that it is critical that this supplemental funding be provided to the troops to prevent a slowdown in daily efforts in training and equipping, the halting of military operations and enabling us to replace lost or damaged equipment for ongoing operations. All of these are implicated by this delay.

General Petraeus, when he was back here, added another reason. He stressed the importance of this supplemental appropriations to further progress in Iraq. Here is what he said:

The Commander's Emergency Response Program, the State Department's Quick Response Fund, and the USAID programs enable us to help Iraq deal with its challenges. To that end, I respectfully ask that you provide us by June the additional CERP funds requested in the supplemental. These funds have an enormous impact.

In other words, it is not just the funds to buy the equipment and support our troops for their mission there but also to enable our military to provide what is necessary to enable the Iraqi people and the Iraqi Government there to succeed.

All of these are reasons for acting with speed. Yet for 14 months Congress has delayed the supplemental funding.

The Director of the Office of Management and Budget, Jim Nussle, stated during his testimony last week to the Senate Appropriations Committee that if the supplemental request is not provided to the DOD by Memorial Day, then the Army and Marine Corps will be forced to take funding from other areas of their operations budget and will even have to start laying off civilians and contractor personnel. It will certainly force the Pentagon to use short-term expedients which are very costly. In other words, instead of having the ability to spread out their contracts over time, which is a much more economical way of acquiring services and equipment, the Pentagon is forced to pay a premium for short-term contracting, and it is forced to move funds

from general accounts to support priority expenditures specifically related to the conflict in Iraq and Afghanistan. This is already adversely impacting the Department of Defense.

Clearly, military planners are leery of engaging in a new operation when they do not even know that the material assets they are going to need for that operation are going to be available or that what they have available today is not going to be replaced in the future because this supplemental funding has not been provided.

We have no more important obligation as Members of the Senate than funding our troops when they are in the middle of a battle. That is precisely the situation right now.

In fact, let me just quote something that was said just a couple of days ago by Ayman al-Zawahiri, currently the leader of al-Qaida. Here is what he said in a long audio message, among other things:

Iraq today is now the most important arena in which our Muslim nation is waging the battle against the forces of the Crusader-Zionist campaign. Therefore, backing the Mujahidin in Iraq, led by the Islamic State of Iraq, is the most important task of the Islamic nation today.

We are in a war, and what Zawahiri said in one sense is right. This is the most important arena in which this conflict is currently playing itself out. We have a choice: to leave in defeat or to continue to assure victory.

We have sent our troops in harm's way to achieve their mission. They are accomplishing it. The surge General Petraeus has implemented is working. It is up to us to do our part in this effort. All we have to do is have a brief debate and a vote, and the vote is to send money the troops need to sustain their operation. We have known this now for 14 months, yet Congress continues to dither. Now we have run out of time.

There has been a suggestion that in this effort to fund our troops, we should combine all of the spending into one massive appropriations bill. It would be well over \$100 billion. If all it does is fund the troops, then that is fine. But if it is used, as I said before, as a way for the majority to sneak through either unrequested defense spending or our favorite other domestic pet projects, that would be a grave injustice to our troops.

I note the distinguished chairman of one of the subcommittees in the House of Representatives on the Appropriations Committee has revealed that he is ready to move the particular bill here because he is going to use it as a way to add other items to the Pentagon, including additional Navy warships and the procurement of new C-17s and F-22 fighter planes beyond what the Defense Department has budgeted. Maybe those are good defense expenditures, maybe not, but the reality is that they should stand on their own two feet as part of a general authorization and appropriations process and

not be put on the backs of this supplemental appropriations bill which is what is needed to fund our efforts in Iraq and Afghanistan.

Others have been looking at the supplemental as an opportunity to increase funding for their favorite non-defense programs. It has been suggested by members of the Senate Appropriations Committee last week that some \$24 billion in nondefense spending might be added for that purpose.

As I said, Congress should not be extorted into supplying nonwar spending on this supplemental appropriations bill, the emergency bill to fund our war effort. Any effort to do that I suggest should be rejected—among other things, because we know the President has said he will veto a war supplemental funding bill that contains nonwar-related items or strings attached such as some kind of a timetable for troop withdrawal from Iraq. Knowing that is going to be vetoed, it would be irresponsible for the Congress to go ahead and send him a bill and take additional time to get the bill back and redo it in a way that will be not vetoed.

The bottom line is that we have to take care of our troops. We have to support them in the mission we have sent them to achieve. It is time that we get about that, and I urge my colleagues, when the war supplemental comes to this body—hopefully next week—to act with alacrity, we will pass it and not hold it hostage to our other spending priorities that do not relate to our efforts in Iraq and Afghanistan.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I wish to spend a minute talking about what a supplemental is because oftentimes the words we use up here do not have the clarity for the American public as to what they really mean. A supplemental appropriation is an appropriation that is outside the budget. What does that mean and what does that mean to the average taxpayer? That means all the money that is used to pay for the supplemental will be borrowed. It is not coming from taxes today. It does not fit inside the pay-go rules. It purely and simply is borrowed from our children.

I have significant problems with that. If you look back at our history, President Roosevelt cut 29 percent out of his favorite domestic programs during World War II. President Truman cut 26 percent out of domestic programs to pay for the Korean war. We routinely, year after year, charge the war to our children.

I raise the issue for two points. No. 1 is that is the way the President has chosen to do it, and I fault him as well as the Congress. But No. 2 is this great propensity of "legislators" who add everything including the kitchen sink to it because it is a free pass and it is outside the budget.

The last appropriations bill that we did that was a supplemental had \$17

billion added to it that did not have anything to do with the war, didn't have anything to do with priorities in this country, didn't have anything to do with that other than adding things on because it was outside the budget so they could spend more inside the budget.

I am in my fourth year in the Senate. One of the things we have done ever since I have been here is try to root out waste, fraud, and abuse. There is no question right now that in the Federal budget—almost \$3 trillion—over \$300 billion right now that is in the appropriated programs and in the mandatory programs is lost to fraud, waste, and abuse. So we are going to be bringing a bill to the floor for \$120 or \$107 billion, plus probably another \$10 or \$15 billion that the porkers will add to it and oink all the way, and nobody is going to offer anything to offset it out of the fraud, waste, and abuse—the waste we have because we are not paying attention to the running of the Government. We hear this big debate about earmarks, the prerogative to make sure that we point to things. The fact is, the way you point out things is to do oversight on the waste, fraud, and abuse.

If you think this is not accurate, let me give you a list of where the waste is. There is \$90 billion worth of fraud in Medicare right now, and there is \$10 billion that we pay that we inherently pay wrongly. So that comes to over \$100 billion in Medicare alone that should not be going out the door. We are not doing a thing about it. Nobody is going to offer an amendment. It will not even be judged as in order with the rules, to get rid of the fraud in Medicare. Medicaid is same thing—\$30 billion in fraud, \$15 billion in overpayments for people that we just made a mistake in paying. No, there is not going to be anything offered during the supplemental to fix that, so right there you have \$125, \$130 billion that would pay—just in fixing Medicare and Medicaid fraud.

There will not be a rule that will allow us to vote on that. There will not be a way for us to do it because that is hard work, and we do not want to do the hard work.

Social Security disability fraud, \$2.5 billion; the governmentwide overpayments, improper payments, overpayments for other things, \$15 billion. These are not my numbers, these are documented numbers by either the GAO, the Congressional Budget Office or the IGs; \$8 billion that the Defense Department pays out for bonuses for companies that did not earn the bonus or performance awards.

There is not going to be anything in this to fix that. It is not even going to be made in order. And \$4 billion that we are being defrauded on a crop insurance modernization program, where we allow for crop insurance a higher rate of return than any other casualty or insurance company could earn.

No bid contracts, \$5 billion. U.N. contributions that are purely waste, that

get defrauded and wasted, \$2 billion. We buy \$64 billion worth of IT projects a year, and at least 20 percent of it is wasted. That is another \$12.8 billion.

Nobody is going to fix that on this. No, we are going to borrow the money from our children. So I raise the issue that we are going to pass a supplemental, and the games are going to be played on it like they are every year. People are going to add things that are not a priority; they are going to add them in—they are not in the budget—knowing they are going to go straight to the debt. Is it in our interest for us to consider, as we do the supplemental, what we are spending right now per American family on different things?

Let me spend a minute to outline that every American family is paying \$8,668 for Medicare and Social Security every year; every American family is paying over \$5,000 a year to defend this country; we are spending \$3,752 for antipoverty programs every year; we are spending \$2,000 a family for interest on the national debt, which is going to be higher next year because we are going to borrow all the supplemental and add that to our debt.

Federal employee retirement benefits cost every family in this country \$1,000 a year—\$1,000 a year for every family. Veterans' benefits, \$750 per family; health research and regulations, \$692; education, \$578; highway mass transit, \$455; unemployment benefits, \$320; international affairs, \$300.

We have a deficit that is going to be \$800 billion this year. While Congress sits on its heels and has debates about legislating or not legislating, we are going to continue the same bad habits of not holding agencies accountable, not being transparent about what we are doing, and we are going to say we funded the war, but we are not going to make any of the hard choices about it.

When this bill comes to the floor, it is going to have \$17 to \$20 billion that does not have anything to do with the war but has everything to do with political directives outside the budget so we can spend more money.

Washington does not need a raise, it needs a cut. It is time for us to pay for the war by getting rid of the waste, fraud, and abuse in this Federal Government. Unfortunately, there is not the character or the courage in either the House or the Senate to take on that fight because it might impact political careers.

So as you listen to the debate when we come up with the supplemental, we need to fund our troops, there is no question about it, but we should not be funding our troops on the backs of our children. We should be funding our troops on the backs of us, and we ought to be doing that every time.

So I am going to do all in my power to try to offer amendments to offset the funds in this war supplemental. I know the rules will prohibit me from doing many of them. But I am not going to stop talking. I am not going to stop talking about the \$350 billion

that goes down the drain and steals the future and opportunity from our children.

That is exactly what we are going to be doing. And we are going to be smiling all the way through and patting ourselves on the back that we funded the war. But we did it on the backs of those who do not have the same opportunities we were given. We are going to steal those opportunities from the next two generations.

It is time for Congress to start doing its job. That means tough, rigorous oversight and staying within the budget guidelines and spending the money like it was ours, not like we had an unending credit card that never comes due.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

#### FAIR PAY RESTORATION ACT

Ms. MIKULSKI. Mr. President, thank you very much. I too wish to speak as in morning business.

All over America today, people are celebrating Earth Day. But we, the women of the Senate, have another day we are commemorating, it is called Pay Equity Day. That means women should get paid equal pay for equal or comparable work.

You are going see the women of the Senate dressed in red today. We are going to be on the Senate floor, we are going to be in our committees, and we are going to be doing our job. But we wear the color red with solidarity for women all over who say: We are red in the face because of the way women have been treated in terms of our pay.

Right now, in the year 2008, women still make less money per hour than men for the same or comparable job. If that was not hard enough about the business practices, we actually have a Supreme Court that agreed with discrimination.

So today we come to the floor with legislation that has been developed, on a bipartisan basis, to reverse a Supreme Court decision called the Ledbetter decision.

You have to hear this. Last May, the Supreme Court made an outrageous decision that said women cannot get equal pay for equal work if they do not do it within the first 180 days that a discrimination occurs. The decision was sexist, it was biased, and it did not understand the reality of women's lives or the reality of the workplace.

Their decision was a step backward for women, and it hit women right in the pocketbook. It violates the American concept of fairness and justice and equal treatment under the law.

Let me tell you about Lilly Ledbetter, who brought the case to the Supreme Court. I met her in the HELP Committee—the Health, Education, Labor Committee—when we were listening to the testimony about it. I listened to her story. This is a woman