

that the Federal Government have a cop on the beat when it comes to high oil prices.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Mississippi is recognized.

#### SUPPLEMENTAL APPROPRIATIONS

Mr. COCHRAN. Mr. President, whatever one's point of view on the war in Iraq, on whether we should be involved or not in the competition for influence in that region, the incontrovertible fact is, there are men and women in the U.S. Armed Forces who are there trying to protect our interests, carry out the orders of their superiors, and safeguard and defend the United States against all enemies, foreign and domestic. And they are in danger of running short of equipment and supplies and the other means necessary to succeed in this conflict because requests for supplemental appropriations are languishing in the House and Senate Appropriations Committees, with no certain schedule for reporting out the bills that must be passed, the bills that must be passed to support our troops and replenish the accounts that have been depleted in this conflict.

Mr. President, I am growing increasingly concerned about the status of the President's fiscal year 2008 request to provide supplemental funding to support our ongoing efforts in Afghanistan and Iraq. The President submitted the bulk of his request in February of 2007 in conjunction with his regular fiscal year 2008 budget submission. He did so largely because Congress clearly expressed its desire for a full year estimate of war costs. Yet Congress did not appropriate a full year's funding.

At the end of last year, Congress approved only a \$70 billion "bridge fund" to support our operations in Iraq and Afghanistan until this spring. Enacting even that amount required a protracted struggle between the House, the Senate, and the President. As a result, the Department of Defense had to issue furlough notices, make a series of inefficient transfers and reprogrammings, and generally function in ways that could only detract from its primary duties.

We find ourselves today facing a very similar situation, more than 14 months after the submission of the President's request. We have not appropriated, approved, or otherwise acted on some \$108 billion of the President's request. The personnel, operations, and maintenance accounts that support our activities in Iraq and Afghanistan are running low. And by May or June, those accounts will run out of money. Soon the Department of Defense will once again have to issue furlough notices, initiate transfers and reprogrammings, and take other inefficient and demoralizing actions that simply should not be necessary.

I have no doubt that Congress will someday approve a funding bill. While

individual Senators have different views about what our policies should be in Iraq and Afghanistan, I am confident that each of my colleagues wants ultimately to provide our Armed Forces and our diplomatic corps with the resources they need to implement the policies of the U.S. Government.

My concern is, when will we act? And how will we act? Every day, I read stories speculating about action on the supplemental. Last week, the Appropriations Committee held a hearing on the supplemental with Office of Management and Budget Director Nussle as the witness from the administration. It seemed as though we might mark up the bill this week, but that has not occurred. I had hoped that by now a markup would be definitely scheduled for next week. But that hasn't occurred either. Hopefully, a markup will occur before we lose yet another week.

But I grow more concerned with each passing day. In the other body, it appears the majority will bypass the committee altogether and take a bill straight to the House floor. Why they would choose to forfeit the detailed knowledge and expertise of the relevant committee of jurisdiction is beyond me, but that is their decision to make. In the Senate, I am not entirely comfortable that a similar procedure isn't under consideration. I know very well that it would not be Chairman BYRD's preference, but I recognize that such decisions are sometimes made by leadership and not by the chairman.

I am also concerned that the process by which Congress will consider the supplemental will again be through a series of messages between the House and the Senate. The House will neither hold a committee markup nor generate an original bill for consideration. As such, it appears there will be no conference committee to reconcile differences between the House and Senate. Rather, the committee leadership, as well as the majority leadership in the House and Senate, will retire behind closed doors to produce a final product for our consideration. The minority will be part of the discussion to varying degrees, but there will be no conference meeting to attend, there will be no conference votes to decide items of disagreement, and there will be no conference report for Members to sign or not to sign.

None of these procedures are without precedent. The Republican majority at times employed similar tactics to move legislation. But I fear that in the appropriations realm, we are making a habit of these procedures—a bad habit. Processing bills by exchanging messages with the House is becoming the norm rather than the exception. Formal conference committees are becoming rare. It seems that committee markups may be the next part of the regular order to go by the boards. This trend should be of concern to all Members of the Senate, not just the members of the Appropriations Committee.

I get the sense that the majority is struggling mightily to develop a uni-

fied, bicameral course of parliamentary action that is most advantageous for their party and which minimizes the chances of unexpected legislative outcomes. I can understand that desire. It is extraordinarily difficult to guide a bill as significant as this supplemental through the legislative process, particularly in an election year.

But in meeting and striving to engineer all uncertainty out of the process, the majority is losing valuable time—time that, in my view, would be better spent marking up the bill, moving it to the floor, and processing amendments in the regular order. Let's not forget those who are depending upon the outcome for their livelihood, their ability to defend themselves and protect the security interests of our great country. They are the ones who are awaiting our action.

Let the Congress work its will. Let the President make a decision whether to sign the bill, and let Congress respond, if necessary. Not to make light of the Senate schedule over the past 2 weeks, but we should be using this window of time that appears to be available to us. In the increasingly political atmosphere in which Congress operates, sometimes we have to remind ourselves of our core responsibilities as Members of this body. In the context of this war supplemental, I think our core responsibility is to give the men and women of our Armed Forces and diplomatic corps the resources they need to succeed in the mission they have been assigned by their Government, and to do so without undue delay.

We have had the President's request for 14 months—14 months. We have held hearings. Members and staff have had numerous meetings with administration officials and other interested parties to discuss the details of the need. We have received an updated report from General Petraeus and Ambassador Crocker.

Mr. President, it is time to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

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

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

#### OIL AND GAS PRICES

Mr. DORGAN. Mr. President, I want to discuss several areas this afternoon. One is the excessive market speculation with respect to the price of oil and gas. My colleagues have done so, and I will weigh in on that.

I think what is happening is not only unfair to the American consumer but damaging to this country's economy. So I will talk about that in a bit. I

want to mention that, on Monday of next week, at 2 p.m., I intend to chair a hearing of the Democratic Policy Committee, in which we will hear from three additional whistleblowers on the issue of waste, fraud, and abuse in contracting in Iraq.

I have held a lot of hearings over a number of years with respect to contracting in Iraq. It is the most unbelievable waste, fraud, and abuse in the history of this country. On Monday, we will hear from whistleblowers who will tell us about the infamous burn pits in Iraq, where in many cases valuable equipment is taken to be burned. In other cases, equipment has been pilfered and taken into the black market. It is an unbelievable tale. But it just fits in with the other things we have heard.

I will not go through all the examples. I have spoken about them at great length. Presumably, some are under criminal investigation. One would expect and hope that the Defense Department would begin to debar some contractors that are, in my judgment, cheating the American taxpayers.

Let me give a few examples. A contractor is charging for 42,000 meals a day they are serving to U.S. soldiers. It is discovered they are only serving 14,000 meals, overcharging by 28,000 meals a day. I don't know, maybe you can miss a cheeseburger or two on the bill someplace. But how do you overcharge for 28,000 meals a day?

An American contractor is paid to rehabilitate 140 Iraqi health clinics and gets paid over \$100 million, paid for with American dollars. The money is gone, but there are no health clinics. I guess there are maybe 20 of them with shoddy construction.

An Iraqi doctor who knows that an American contractor was paid to rehabilitate health clinics in rural areas goes to the Iraqi Health Minister and says: I would like to tour these clinics that the American taxpayers paid to rehabilitate because health is such an important need. The Interior Minister of Iraq said: You don't understand, most of these are imaginary clinics.

I had a guy come to a hearing I held, and he saw \$85,000 trucks being burned on the side of the road, left on the side of the road because they didn't have a wrench to fix a flat tire. The road was safe, the only reason they left the trucks by the side of the road was because they could make a profit by buying another one. Mr. President, \$85,000 trucks torched because they had a plugged fuel pump. What is the big deal about that? The contractor will simply reorder new trucks because the American taxpayers are going to be stuck with that bill. It is a cost-plus contract.

How about \$7,600 a month for leasing SUVs? How about \$45 for a case of Coca-Cola? How long do we have to come to the floor of the Senate and talk about this unbelievable, utter waste of the American taxpayers' dollars?

We had a man named Judge Radhi come to testify. I asked that he be allowed to testify before the Senate Appropriations Committee. He came. He was appointed by Paul Bremer to be the head of a Commission on Public Integrity in Iraq. They tried to kill him three times because the folks over there didn't like somebody looking over their shoulders.

He said they pursued thousands of cases of corruption; \$18 billion had been pilfered and wasted, most of it American money. He talked about \$3 billion spent by the former Defense Ministry of Iraq ordering airplanes that never arrived in Iraq because it is likely the money ended up in a Swiss bank account.

Judge Radhi said, \$18 billion he estimated was wasted, most of it American money.

Does that surprise anybody? We lifted C-130 cargo loads of one-hundred-dollar bills out of this country to fly them to Iraq. In a war zone, you are distributing one-hundred-dollar bills out of the back of pickup trucks. Is it any wonder this is the most waste, fraud, and abuse we have ever seen?

In 1940, at the start of the Second World War, Harry Truman, then serving in this body, helped create a bipartisan committee. It became known as the Truman Committee. It cost \$15,000 and saved \$15 billion. They did 60 hearings a year for 7 years—60 hearings a year for 7 years. They issued subpoenas. When they saw waste, fraud, and abuse, they stopped it. They were serious. It was a bipartisan investigative committee right here in this Chamber.

This war in Iraq has gone on 5 years. I have held hearing after hearing chronicling the waste, fraud, and abuse. And it is unbelievable.

We read that one of the largest contractors we have engaged in Iraq, the Halliburton Corporation, has been paying 10,000 of their U.S. employees through a subsidiary in the Cayman Islands that has no staffing at all, just an office address. Why would they do that? Why would they hire Americans and run their payroll through the Cayman Islands? So they don't have to pay payroll taxes to the U.S. Government.

When this supplemental comes to the floor of the Senate in the next week or two, I am going to offer an amendment that says any contractor doing that should not be getting any more contracts.

At some point, does anybody have the nerve to stand up and say this has to stop? Is there at least a small group of people, perhaps a quorum, who would say this has to stop? What we should do and what I have tried and I say with the support of Senator REID—and I appreciate his support—we have tried very hard to create a Truman-type committee on behalf of the American taxpayers to say: Stop this waste, stop this fraud, stop this abuse.

We have been unable to do that in three votes in the Senate. I regret that

because the American taxpayer is being fleeced and American soldiers are being disserved by this waste, fraud, and abuse.

Let me mention one additional example, which may seem like a small matter, but is symptomatic of a larger problem. Henry Bunting, a wonderful man who worked in Kuwait as a buyer for Halliburton Corporation, brought a towel to a hearing. He held it up. He said: We were buying towels for American soldiers. Here is a towel I was supposed to buy, a white towel. So I ordered white towels.

My supervisor said: You can't buy that white towel. You need to buy a towel that has the logo of our company, embroidered in silk.

I said it will triple, quadruple the cost. The supervisor said: It doesn't matter, it is a cost-plus contract. We will earn more money.

Unbelievable.

Bunnatine Greenhouse came to testify. The price of her testimony was her job. She was the highest civilian official in the U.S. Army Corps of Engineers. She said this awarding of the LOGCAP Rio contracts was the most blatant abuse of contracting authority she had seen in her entire career. For that it cost her job.

I have told my colleagues before, I called the general at home at night who has since retired, who hired Bunnatine Greenhouse, who was judged to be one of the best contracting officials we ever had. I called him at home at night.

I said: General Ballard, tell me about Bunnatine Greenhouse. He said she was tops and what happened to her was wrong, dreadfully wrong.

She blew the whistle on the good old boys network, and now her case is behind a shroud in the Defense Department like all the rest of these issues—under investigation, they say. When will the investigation be done? When will it end?

Halliburton KBR was contracted to provide water to the military bases in Iraq. That was their job. A man named Ben who was in Iraq working for Halliburton came and said: We were providing water but were not checking the—were not testing the water.

It turns out the nonpotable water was more contaminated than raw water from the Euphrates River. That is what our soldiers were showering in, shaving with, and often brushing their teeth with.

Then I got hold of an internal Halliburton document—I believe it was 21 pages—written by Will Granger, the man in charge of water quality in Iraq for Halliburton. He said this was a near miss. It could have caused mass sickness and death. This was an internal document leaked to me from inside Halliburton, written by a man in charge of water in Iraq: A near miss, could have caused sickness and death.

We had whistleblowers from inside the company say this is what happened: Water more contaminated than

raw water from the Euphrates River being sent to these camps. Halliburton said it didn't happen—despite the fact I had the evidence—didn't happen, never happened, not true. The U.S. Army said: Didn't happen, never happened. I did not understand that. I would have thought the U.S. Army would have been apoplectic on behalf of the health of its troops.

So I asked the inspector general: Do an investigation, will you, and tell me what the facts are.

The inspector general did the investigation and just finished a month and a half ago. Guess what? The whistleblowers were right. So why did the U.S. Army declare to us it didn't? I understand the company deciding it will not admit to anything. What about the U.S. Army? In fact, they sent a general to this Congress, to the Armed Services Committee, to say these incidents never happened. Now we have an inspector general report that not only demonstrates that the general testified inappropriately, was wrong, deceived the Congress, but that the inspector general had provided that information to the Pentagon prior to them sending the general up here to tell us information that was not accurate.

It just goes on and on.

Mr. President, we need to have a Truman committee. I know my message is tiresome to some, but it doesn't matter much to me. This Congress owes it to the American people to do what previous Congresses have done during wartime, and that is properly investigate the waste, the fraud, and the abuse on the most significant expenditure of taxpayers' money that has ever occurred ever in the history of this country for contractors. We shoveled money out this door. It is unbelievable. And almost no oversight.

I brought to the floor of the Senate many times a picture of a man who testified with bricks of one-hundred-dollar bills wrapped in Saran Wrap. He said it was the Wild West. We told contractors: Come to this building and bring a bag because we pay in cash.

I described that in the context of a company called Custer Battles. Two guys who had virtually no contracting experience in a very short time got many millions of dollars worth of contracts. And they were then found to have defrauded the Coalition Provisional Authority.

I came to the floor a week or two ago and said the New York Times did some enterprising reporting—good for them, and I say to those reporters: You did some great work, work that probably could have and should have been done by the Congress in the recent past.

I showed a picture of a man named Ephraim, 22 years old, and his 25-year-old vice president who was a massage therapist—a 22-year-old CEO of a company and a 25-year-old massage therapist as the vice president. They ran a company that was a shell corporation set up by the 22-year-old's dad some years ago out of an unmarked office in

Miami Beach. They got \$300 million in contracts from the U.S. Department of the Army to provide munitions and weapons to the Afghan army and police.

What ended up in Afghanistan was, in many cases, ammunition from the mid-1960s, manufactured by the Chinese in boxes that were taped and coming apart. This was a company that got over \$300 million.

Should somebody ask the U.S. Department of the Army and the Sustainment Command of the Department of the Army in Illinois how on Earth did this happen? How did you think you would get by with this? How are you going to explain this to the American taxpayers?

We desperately need to establish a Truman committee to investigate this issue. The American taxpayers deserve no less, in my judgment.

#### MEDIA MARKET CONCENTRATION

Mr. DORGAN. Mr. President, I wish to mention, this morning out of the Senate Commerce Committee, thanks to Senator INOUE's and Senator STEVENS' support of my legislation, we passed legislation that will veto a rule that was passed by the Federal Communications Commission that allows for more consolidation in America's media.

The Federal Communications Commission decided they want more concentration in the media, despite the fact that most of what Americans hear, see, and read every single day is directed by about five or six major corporations in America. They think we need more concentration. So they passed a rule that says it is going to be OK to allow newspapers to buy television stations in the same city.

We have had a prohibition against that action for a while. It is called cross-ownership. They did their rule. The Chairman of the Federal Communications Commission was very anxious to get this rule done and serve whatever master he was serving. They did their rule, but today we passed a veto resolution out of the Commerce Committee, a disapproval of the rule by the Federal Communications Commission that would allow greater concentration in the media.

The last thing we need is more concentration in the media. We have all these supporters that come to the Senate floor who say: What are you talking about? We have all these new outlets. Go to the Internet. See how many sites there are. Go to cable television. See how many channels there are. I say: Yes, a lot of new choices but from the same ventriloquist, the same source.

One guy testified before the Commerce Committee and said, for example, on cable television in my office, 48 channels are on basic tier and 42 of those channels belong to the same five or six major companies. That bill will come to the floor of the Senate because

it is a privileged piece of legislation. My resolution of disapproval, passed by the Commerce Committee today, will come to the Senate as a privileged resolution. It will be on the calendar now. I am going to consult with Senator REID, and I will visit with the minority, and find a time to bring it up and have a vote to disapprove the rule that was enacted by the Federal Communications Commission, which, in my judgment, stands logic on its head.

#### OIL MARKET SPECULATION

Mr. DORGAN. Mr. President, the final matter I want to talk about today is this issue of the price of oil and the price of gasoline and excessive speculation. There has been some discussion today about this, and I want to make this point.

We have seen a dramatic runup in the price of oil and, therefore, the price of gasoline. There is no justification with respect to the fundamentals of oil and supply and demand for that. There is no justification for it at all, but something has changed in this country. What has changed is the futures market has become an orgy of speculation.

Let me quote a man named Mr. Fadel Gheit, a top analyst from Oppenheimer and Co. He has been in this business for 30 years. He said this a couple of months ago.

There is absolutely no shortage of oil. I'm absolutely convinced that oil prices shouldn't be a dime above \$55 a barrel. Oil speculators include the largest financial institutions in the world. I call it the world's largest gambling hall. It's open 24/7. It's totally unregulated. This is like a highway with no cops and no speed limit and everybody's going 120 miles per hour."

This is happening in the futures market. You need a futures market to hedge. You need it for liquidity. I understand that. What has happened to the futures market is pretty bizarre. We now see on the futures market 20 times the amount of oil bought and sold every day than is used every day. Twenty times more is bought and sold than is used. For the first time, we see hedge funds up to their neck in the futures market. Is it because hedge funds love oil? No, they don't know anything about oil. Do they want oil delivered to their offices? Do they want oil delivered to their homes? No. They never want to own any oil. They want to buy things they will never get from people who never had it. That is the way the futures market works. These people are speculating. Hedge funds are neck deep speculating in oil futures, and for the first time investment banks have joined them. So you now have big investment banks and big hedge funds with a presence in the futures market like never before. They have all these commodity corners in their company now, and they are hiring more, and they are speculating at an unbelievable rate.

I am told, and I have read, that investment banks for the first time are