

cost \$46,874 a year. Our average veteran coming out of Iraq and Afghanistan is able to receive about \$6,000 a year under this Montgomery GI bill that is in place. That is about 12.8 percent of what it would take for our veterans today to be able to go to Columbia.

Senator WARNER, my senior colleague from Virginia, was able to take advantage of two GI bills. He was able to go to Washington and Lee University for his undergraduate degree, and then he was able to go to the University of Virginia Law School—full boat. Today, the Montgomery GI bill would pay about 14 percent of what it would take to go to the Washington and Lee University, and about 13 percent of what it would take to go to the UVA Law School.

I emphasize that I am standing here as a full beneficiary of Uncle Sam. After I was wounded in Vietnam and left the Marine Corps, I was able to go to Georgetown Law School, with my tuition paid for, my books bought, and a monthly stipend. Today's Montgomery GI bill would pay about 11.6 percent of that.

I think it is time for all of us in the political process, who like to use the words of praise—rightfully earned by the people on these battlefields—to talk the talk and then walk the walk. Let's get them a GI bill that truly allows them a first-class future. We have a majority—an overwhelming majority—of my Senate colleagues on the Democratic side who are cosponsors of this legislation. I am truly hopeful people on the other side of the aisle will understand this is not a political measure; it is a measure of respect, and it is an earned benefit.

We are giving this year \$18.2 billion worth of educational grants to people in this country purely based on their economic status. Certainly we can afford to pay for a meaningful GI bill for these young men and women who have been serving since 9/11.

The senior Senator from Alaska mentioned, during the Christmas break, that we are spending approximately \$15 billion a month in Iraq and Afghanistan. We could fund this GI bill for 1 week of what it would cost for us to run the wars in Iraq and Afghanistan. Unlike a lot of other comparisons that are made on this floor, this is a direct comparison because a GI bill is a cost of war.

I urge my colleagues to get behind it. Let's get this done early in this session before we go into the political season, and get these young men and women the benefits they not only deserve but they have earned.

COMMISSION ON WARTIME CONTRACTING

Mr. WEBB. Mr. President, the second issue I wish to mention today regards the National Defense Authorization Act, which the President signed into law yesterday. In that act was a commission on wartime contracting, which

Senator McCASKILL and I jointly introduced last year and were able to get embodied in the National Defense Authorization Act.

This is a very important piece of legislation. It will put into place an independent, bipartisan commission that has a 2-year sunset date on it—jointly picked, jointly selected by Democrats and Republicans in the Senate and in the House and from the administration—a commission filled with experts, not Senators sitting around or political people sitting around, to examine the wartime contracting that has taken place since our invasion of Iraq, particularly, also looking at Afghanistan, and trying to bring accountability to the broad range of fraud, waste, and abuse that we all know has occurred during that period.

Now, to my surprise, when the President signed this legislation yesterday, he issued a signing statement along with it saying this, with respect to this wartime contracting commission, that:

This wartime contracting commission purports to impose requirements that could inhibit the President's ability to carry out his constitutional obligations to take care that the laws be faithfully executed to protect national security, to supervise the executive branch, and to execute his authority as Commander in Chief.

He goes on to say that:

The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President.

In other words, the President of the United States, who has been in charge of the conduct of this war, and whose administration has been in charge of executing these contracts—supervising them, making sure that they meet the requirements of fairness in the law, is now saying that he believes a legislative body can enact a law that he can choose to ignore basically because he says it would interfere with his responsibility as Commander in Chief to supervise a war. I am totally at a loss. I am totally amazed to see this kind of language as it respects this legislation.

The Commission was put into place with broad bipartisan support and bicameral support by both the House and the Senate, the idea being to study systemic problems—the same sorts of things this President, I would think, would want to root out. Its historic precedent comes from the Truman Committee that took place during World War II, when then-Senator Harry Truman wanted to look at wartime fraud, waste, and abuse so we could get a proper handle on the Federal spending that was going into mobilization and into the projects that were being put on line during World War II. We certainly didn't see President Franklin Roosevelt trying to say the Truman Committee's work was going to interfere with his ability to conduct World War II. To the contrary, the President, during that war, saw this was the type of thing he needed in order to bring the right sort of supervision and the right sort of accountability that might eliminate waste, fraud, and abuse.

So we don't quite know what the administration intends with this sort of language, but I want all my colleagues to be aware of it and to be aware that it potentially is an impingement on the rights of the legislative body, in effect saying the President has the authority to ignore a law that has now passed, a law he has now signed.

So we are going to go forward with this Commission. We are going to work with the administration, we hope, to set it up. We are going to move as rapidly as we can because the clock is ticking in terms of statute of limitations on some of the charges that might be filed. I hope the people of this country understand we want to do this for the good of the American people; that we have a responsibility to make sure the Nation's purse strings have been properly taken care of and that we are acting as the stewards of America's taxpayers.

Again, if someone in the administration would like to explain to us what their constitutional issue is with a piece of legislation the President has signed, we would be happy to hear that. In the meantime, we are moving forward with this Commission. It is vitally important to accountability in the Government. I am very proud to have been a sponsor of it, and we are marching forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I ask unanimous consent to proceed for 5 minutes as in morning business.

The PRESIDING OFFICER. The Senator has that right.

DEFENSE AUTHORIZATION ACT

Mr. LEVIN. Mr. President, first, let me commend Senator WEBB for the leadership on the issue he talked about. I am going to speak very briefly on that same issue—the signing of the statement by the President yesterday—but before I do that, I wish to commend him and the other sponsors of this legislation. It is critically needed. It is long overdue. But for the leadership of Senator WEBB and a few other Senators, we would not have had that provision in the bill which was finally signed yesterday.

Yesterday, the President did sign into law the National Defense Authorization Act, which is essentially the same bill the President vetoed last month. In his signing statement, the President identified a few provisions of the act and stated that they:

Purport to impose requirements that could inhibit the President's ability to carry out his constitutional obligations.

The President's statement went on to say that:

The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President.

The specific provisions the President cited relate to a commission to study

and submit reports to Congress on war-time contracting in Iraq and Afghanistan. He cited a provision that enhances the protections from reprisal for contractor employees who disclose evidence of waste, fraud or abuse on Department of Defense contracts. He objected—or at least raised a question—about a requirement for offices within the intelligence community to respond to written requests from the chairman or ranking member of the Armed Services Committees for intelligence assessments, reports, estimates or legal opinions within 45 days, unless the President asserts a privilege pursuant to the Constitution of the United States; and he also made reference to at least a limitation on the use of funds appropriated pursuant to the act to establish a military base or installation for the permanent stationing of U.S. Armed Forces in Iraq or to exercise U.S. control of the oil resources of Iraq.

Now, I understand the President's statement did not say these specific provisions or any other provisions of the act are unlawful, nor that the executive branch would not implement these provisions. I also understand similar statements have been included in signing statements on a number of laws by this President and that those statements did not result in the refusal to enforce the law as written.

Nevertheless, I believe it is important to come to the floor as the chairman of the Armed Services Committee to express the view that Congress has a right to expect the administration will faithfully implement all the provisions of the National Defense Authorization Act of 2008—not just the ones the President happens to agree with.

As I noted at the outset, the President vetoed an earlier version of this act which contained the same specific provisions he singled out in his signing statement yesterday. The President did not choose to exercise his veto over those provisions and, as a result, they have not changed in any way whatsoever in the version of the bill the President chose to sign. With his signature, these provisions become the law of the land. Congress and the American people have a right to expect the administration will now faithfully carry them out.

I note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that morning business be extended for 90 minutes, with the time equally divided.

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

Mr. LEVIN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, is it in order for me to make a comment as in morning business at this time?

The PRESIDING OFFICER. The Senate is in a period of morning business.

(The remarks of Mr. STEVENS pertaining to the submission of S. Res. 433 are printed in today's RECORD under "Submitted Resolutions.")

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FISA

Mr. CHAMBLISS. Mr. President, I come to the floor this afternoon to talk for a minute about the pending FISA legislation.

As a member of the Senate Intelligence Committee, I have been very pleased to be a part of the bipartisan process in which Chairman ROCKEFELLER and Vice Chairman BOND have crafted a very delicate, a very sensitive, yet important piece of legislation. Probably the most important piece of legislation that the Intelligence Committee has dealt with over the last several months or even years. Certainly, it is one of the most important pieces of legislation to come to the floor of this body this year.

This FISA legislation gives tools to our intelligence community which allow our brave men and women—who stand at the forefront today of the war on terrorism in every part of the world—to gather information from those who are plotting, planning, and scheming to kill and harm Americans. The tools with which the intelligence community seeks to get in this particular instance deal with their ability to gather information, primarily through what we refer to as electronic surveillance, from terrorists, or bad guys, who are overseas communicating to other individuals who are also overseas. There is no question that in order for our intelligence or law enforcement officials to be able to gather information from communications of persons located within the United States, it is necessary that they first obtain a court order. Let's make that very clear. We

must first obtain a court order to conduct surveillance against individuals located within the United States. What we are seeking to do in this legislation is to give our intelligence community the ability to collect information without a court order from people who are planning attacks against the United States and located outside the United States. It is those individuals whom we seek to gather information from and prohibit from having the capability to kill and harm Americans. This legislation is a crucial piece in the puzzle to enable the intelligence community to gather information from these individuals.

This particular piece of legislation has been debated in the Intelligence Committee for 10 months and was voted out of the Intelligence Committee on a very bipartisan vote of 13 to 2. I actually voted against several of the amendments offered in the Intelligence Committee. But at the end of the day, even though some of the amendments I voted against were accepted and were included in the bill, I believed it was such an important piece of legislation and put such necessary power and authority into the hands of the intelligence community that I voted to support it.

I commend my vice chairman, Senator BOND, who is on the floor with me now, for his leadership. I would simply ask the vice chairman: We started debate on this bill on the Senate floor in December, have been debating this bill this week, as well as last week. Where are we? What is the holdup in passing this critical legislation? What is the problem? Why can't the Senate give our intelligence community the tools they need to protect Americans?

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, if I may respond to my colleague from Georgia, who is a very valuable member of the Intelligence Committee and who brings expertise from the other body and who has been a valuable contributor, when we passed the FISA bill in what is called the Protect America Act in August, everybody agreed that it should be 60 votes because this is a very important but very controversial bill that has to be adopted by 60 votes. Thus, we have asked that amendments to this bill be considered under a 60-vote rule.

It is very common in this Senate to demand 60 votes to be sure it is a non-partisan bill. So far, we have not been able—although we have provided several alternatives to our friends on the other side—to get a clear way of going forward. So that is why we are stuck, waiting to find a reasonable manner of proceeding.

I would ask my colleague if, in fact, he feels we had adequate contact with, interaction, and advice from the intelligence community and whether it is important to have the advice and assistance of those who are experts in and know the operations of electronic surveillance, to have a role in our drafting of the legislation.