

roads, and local public work projects that do not get done. Overall, rural economies will suffer in a big way.

In the West, we are rich in public lands. One-third of Montana is in public ownership. Much of it is timberland. It only makes sense that the Federal owners help support local services.

These counties are, by nature, rural, and Secure Rural Schools funding makes up a large portion of their local budget. Without this extension, local communities will not be able to make ends meet. For these reasons, I hope the funding for Secure Rural Schools remains in the supplemental.

I also express my appreciation for the work of Senators WYDEN, BAUCUS, and others who have fought so hard to fund this program over the years. Rural America needs this support to continue.

Another issue I want to draw attention to is the JAG/Byrne funding used by America's drug task forces. These justice assistance grants help local law enforcement agencies fight drug dealers and manufacturers across this country.

There is \$490 million in the supplemental to restore funding to this critical program that will bring the amount of last year's level up to \$660 million.

Montana has seven drug task forces, which cover three-quarters of Montana's 56 counties. In 2007, Montana's Drugbusters received almost \$1.3 million. This year, Montana is set to receive only \$473,000. That is a loss of \$817,000 in 1 year. The folks on the ground have told me they are going to have massive cutbacks in programs and in surveillance. In fact, 27 of the 49 agents statewide would be laid off. Three of the seven drug task forces would have to close their doors altogether.

Montana is the fourth largest State, geographically. It is too big and expansive for us to think we can keep a handle on drug traffickers with such limited resources. What would happen? More drugs would remain in our communities, more weapons in the hands of criminals, more crimes, and more children would be exposed to danger because they would be continually exposed to volatile situations, criminal behavior, and drugs. We do not want to go backward.

As a result of the efforts of Montana's Drugbusters, there has been a significant decrease in the number of meth labs. For instance, in 2002, there were over 120 labs. In 2006, thanks to the Montana Drugbusters, there were less than 10 labs in the State of Montana. This is great work and this work must continue.

Without the restoration of this funding, our efforts to limit drugs in Montana and throughout the country will be devastated. Our children's exposure to drugs and crime will be increased, and our families will be torn apart. Montana cannot afford it. No State can. Americans deserve better.

I know many of my colleagues share in my strong support for JAG/Byrne funding and county payments. I appreciate their help in developing and continuing these programs. I hope this supplemental, in the end, includes these important programs and that the President signs the supplemental into law.

I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. CORNYN. 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.

#### APPROVAL RATING OF CONGRESS

Mr. CORNYN. Mr. President, this week we reached a milestone in Congress, because on Monday it was the 500th day since our friends on the other side of the aisle took control of both the Senate and House following the 2006 election. In those 500 days, we have seen congressional approval rating, according to Rasmussen Surveys, drop to 13 percent of the respondents who believe that Congress has performed in a good or excellent fashion. I believe one reason why we have seen this drop in Congress's public approval rating is because we have failed to address some of the biggest concerns that confront the American people.

Here is a chart. Four of the concerns are depicted here. The first number I mention here is the 96 days that Congress—specifically the House of Representatives—has failed to act to modernize the Foreign Intelligence Surveillance Act. The Foreign Intelligence Surveillance Act, of course, is the law that allows our intelligence community to listen to telephone conversations between foreign terrorists to learn of attacks being planned, so as to not only detect them but also to deter them and defeat our enemies. Why Congress would fail to act to reauthorize this important piece of legislation for 96 days, I think, can only cause us to scratch our heads and wonder what could possibly justify that effective blinding of our intelligence community to new threats and the kinds of threats that could make us safer, if detected, deterred, and defeated, and could make us safer here at home and make our troops safer in places such as Afghanistan and Iraq.

At the same time, we have been waiting 547 days for Congress to take up and pass the Colombia Free Trade Agreement. This is important to our Nation and it is important to my State. Last year alone, Texas sold \$2.3 billion worth of goods and produce to Colombia, a large nation in South America. Because of tariffs that are currently imposed on those goods that are sold from Texas to Colombia, or

from the United States to Colombia, it actually discriminates against my small business man and woman, against the manufacturer, against the producer of farm goods; whereas, Colombian goods coming into the United States because of another agreement have no similar tariff or financial discrimination.

If the Speaker of the House would take up the Colombia Free Trade Agreement, we could restore a level playing field and create more jobs in the United States because we would be creating more goods here in America to sell in Colombia.

Free trade is something that, amazingly, this Congress seems more and more afraid of, when, in fact, I think it is one of the ways out of our current economic doldrums. If we continue to create new markets for our goods and services across the world, that creates jobs at home. If there is anything like a stimulus package Congress could pass, free-trade agreements, such as the Colombia Free Trade Agreement, is one of them.

It is more important than that because Colombia, of course, is one of our very best allies in Latin America, sitting right next door to Hugo Chavez in Venezuela, someone who is not our friend and has declared us his enemy.

I have to think that Raul Castro and Fidel Castro in Cuba and Hugo Chavez in Venezuela are sort of chuckling to themselves, seeing how America is treating one of our very best allies in Latin America. In fact, it is President Uribe in Colombia who has been heroic in his fight against the narcoterrorists, known as the FARC, who recently, we found out, were not only in cahoots with Venezuela and Hugo Chavez but planning a lot of no good—buying arms, buying military materiel from Russia and other places right in our backyard, in Latin America. Why we would stiff-arm President Uribe in Colombia, one of our very best allies in Latin America, when it is in our self-interest to create more markets to sell American goods and services, frankly, is beyond me.

The next number is 692 days. This is how long some judicial nominees, nominated by President Bush, have been waiting for Senate confirmation.

We know the majority leader pledged to confirm at least three circuit court nominees before the Memorial Day break. We only have 2 more days left to go. Obviously, we are not going to meet that pledged goal. So 692 days with nominees waiting for a vote with no real end in sight. It is clear what is happening. It is an attempt to drag this out until the election is nigh upon us and then the majority leader can say: We can't get any more judges confirmed because we are going to have to wait for the Presidential election to see who will fill those vacancies. But to wait 692 days without even giving these nominees simply the courtesy of a hearing or an up-or-down vote is inexcusable. There is just no reason for it.

The last number on this chart is 758 days. That is the period of time since NANCY PELOSI, now the Speaker of the House, pledged to come up with a commonsense plan to reduce the price of gasoline. Mr. President, 758 days later, the price of gasoline is going through the roof, with no end in sight, and the price of oil, which makes up 70 percent of the cost of gasoline, is going through the roof, with no end in sight.

We have on this side of the aisle offered what I believe to be a very constructive plan to produce more American energy and rely less on imported energy from other parts of the world, and that was rebuffed by the majority. I am left to wonder, if the majority refuses to take advantage of American natural resources and reduce our dependency on imported oil from our enemies at the price of \$3.75 a gallon, I wonder if they would reconsider when the price hits \$4.75 a gallon or \$5.75 a gallon? At what price will we finally wake up in Congress and recognize that the moratorium we passed some 30 years ago which banned the exploration for oil and gas on our Outer Continental Shelf, when oil was \$7 a barrel and now is \$127 a barrel, when will we reconsider that policy and decide it is in our national interest—our national security interest and our economic interest—to depend more on what God gave us in America, our natural resources, which can be developed in a way that is consistent with a good environment and in a way that is responsible?

It is irresponsible to simply ignore reality or to imagine that we in Congress can suspend the economic laws of supply and demand. As we have seen oil consumption worldwide go to about 85 million barrels a day, we know that countries such as China and India, with growing economies, are using more and more of that oil. So we are competing for a fixed supply of oil, and the law of supply and demand says: If you have a fixed supply but increasing demand, the price is going to continue to go up. But somehow Congress feels as if we can ignore that law or we can defy that law. We can no more defy the law of supply and demand than we can the law of gravity. I think the American people understand that, and I think they are bewildered, as I am, why Congress continues to defy this basic law of economics.

The bill that will be before the Senate today is a very important piece of legislation which bears further witness to why Congress is held in such low regard by the American people. It is because this bill which was designed to be an emergency supplemental appropriations to help fund our troops in harm's way in Afghanistan and Iraq has become a political football and a lot of unrelated projects have been added to this bill, which has caused the President to threaten to veto it, which the majority understands will simply slow down the process of getting these necessary funds, getting this necessary

equipment that these funds would pay for, to our troops in harm's way.

Twenty-five days from now—Deputy Secretary Gordon England said that absent additional congressional action, “the Army will run out of military personnel funds by mid-June and operation and maintenance funds by early July.” In 25 days, unless Congress acts, the military will run out of personnel funds—that means money used to pay the military their paychecks each month—and will run out of operation and maintenance funds by early July.

I believe it is absolutely inexcusable that as we approach Memorial Day, the men and women of our military are left to wonder whether we will meet our obligation to make sure there is enough money available to pay their paychecks so their families can be provided for after June. While we all have talked about supporting our troops—and that is very important—how much more basic a way is there to support our troops than to make sure they are paid the money they are entitled to on a timely basis and not left to wonder whether Congress will meet that simple obligation? Talk is one thing; action, which would send a different message altogether, is another.

It is indisputable that these men and women in our U.S. military have made tremendous sacrifices for all of us. They have given not only their precious time, some have even given their lives to protect our way of life. Many of them have spent months, if not years, away from their families, missed birthdays, missed births, all in fulfillment of this noble duty to help keep the oppressed free and to protect our national security. Now they are left to scratch their heads and wonder what is going on again in Washington and whether politics is interfering with Congress's willingness to simply do its duty while they discharge their duties abroad.

This critical funding includes not only vital pay and allowances but also the tools our troops need to ensure they have safe passage through neighborhoods they patrol in Afghanistan and Iraq. I am referring to, in part, the Commander's Emergency Response Program, or the CERP. When I was in Baghdad and other places in Iraq in January, the commanding officers said that these are some of the most useful funds we have made available to them. Secretary Gates has called it “the single most effective program to enable commanders to address local populations' needs. . . .” These CERP funds will come to a standstill. Unless Congress acts on a timely basis without loading down this bill with a lot of pet projects and pork, it will come to a standstill. Why would we want to hamstring our commanders in the field in working with local populations to try to win their hearts and minds? As Secretary Gates pointed out, CERP is the key in the effort to get potential insurgents in Iraq and Afghanistan off the streets and into jobs.

Colleagues on both sides of the aisle have long acknowledged the importance of CERP funding. However, despite this acknowledgment, Congress has provided less than a third of what has been requested, and now providing those funds at all is left in some doubt. According to the Department of Defense, unless we provide the remaining \$1.2 billion in CERP funds, the program will grind to a halt. What more important thing could we be doing in Iraq than trying to win the hearts and minds of former insurgents and get them deployed so that they lay down their guns and their bombs and engage in not only the political process but in the economic revitalization of that war-torn country. We all agree the Iraqis need to take more responsibility for rebuilding their country, and that is what these CERP funds are designed to ensure. Why in the world would we slow them down or fail to see that they are delivered?

Beyond CERP funds and troop paychecks, the lack of funding begins to also impact other areas. We will see furloughs of civilian employees of the Department of Defense if Congress does not act promptly. Unfortunately, this includes staff members at facilities such as child development centers which many of our troops depend on for daycare for their young ones. It would detrimentally impact services provided to troops and their families at military installations across America and around the world.

It is sad to note this is not the first time Congress has put our troops in this position. Once again, while our troops are waiting for critical funding, needed not only for their own well-being but for the completion of their mission, some of my colleagues will try to use this supplemental funding bill to advance pet projects or to resurrect a tired agenda. Once again, we have seen there will be an attempt to force yet another vote on the precipitous withdrawal of our troops from Iraq; that is, based on a political timetable handed down here in Washington rather than conditions on the ground which will lead to the likelihood of stability and ultimate success. Despite the countless debates we have had on this issue and despite the clear and undisputable evidence of both military and political progress in Iraq, my colleagues will again refuse to pass a clean supplemental bill to support our troops. This debate, of which we know the outcome, will do nothing but delay those funds going to our troops.

It is becoming increasingly evident that American troops and our Iraqi allies are making great progress in areas that were formerly labeled as hopeless. In the New York Times today, there is a story on the front page about how Sadr City, which was basically a no-man's zone, has now been stabilized by Iraqi troops themselves. Violence is down, and communities are fighting back against extremism. Life is slowly returning to normal. Refugees who previously fled that country are returning

home. What better could we hope for than to see these sorts of developments? Of course, this is thanks in large part to the sacrifices of our military and our military families.

We also need to acknowledge the great strides being made by the Iraqi Government. By reasonable estimates, the Iraqis have now met 12 of the 18 benchmarks Congress set for them, and they have begun to fight against extremism and senseless violence without regard to affiliation or sectarian identification.

The recent initiative that Prime Minister Maliki undertook in Basra is a good example of taking the initiative, of doing what we had hoped for, and that is taking the training that America and our coalition partners have provided and using that training to fight for themselves. The more the Iraqis stand and fight for themselves, the more American and coalition troops can stand down and ultimately come home.

I think it is important to point out to the American people that what was supposed to be an emergency supplemental appropriations bill is not limited to war-related measures, and this is designed to slow down this important piece of legislation. We know that not only are other pet projects and unrelated spending measures included, there are \$10 million in unrelated emergency spending measures that perhaps might be justified in some other context, but we need to have this bill passed cleanly so we can get the money to the troops and so we can debate the merits of these various other programs at a later time. We should not use this bill for controversial policy measures.

Our troops, as well as the American people, deserve more open debate about complex issues—and here are four of them we need to act on—but we should not use this bill to try to get provisions passed without either adequate debate or adequate scrutiny. Things that could not be passed in the light of day should not be passed on this vehicle, this must-pass vehicle. The men and women who have made tremendous sacrifices to serve our country deserve more than to have to be asked to carry on their backs the political agendas of a few of their elected representatives.

Despite the looming shortfalls for military paychecks, the Senate does not seem all that concerned. Despite warnings by the Deputy Secretary of Defense that Congress must act before the Memorial Day recess, the majority leader recently told people it was no big deal if Congress did not. I respectfully beg to differ. Failing to supply a paycheck to our brave soldiers is an incredibly big deal. Playing politics at a time when our soldiers are being left to wonder whether they will be able to pay for their food bill, their gasoline bill, their health care or other items while Congress engages in this sort of gamesmanship is simply inexcusable.

So I think we could improve congressional approval ratings above the 13

percent who think we are doing a good or excellent job if we would simply act on this list of items which has been waiting, some for as many as 758 days, without a response from the Congress and if we would simply quit using something such as an emergency funding bill for our troops in harm's way in order to pass other unrelated pet projects or to try to impose other political agendas. I think if we acted responsibly, in a bipartisan way, to try to solve some of these problems, the American people would respond favorably. That would be good for them, that would be good for the country, and that would be good for the Senate and the Congress, generally.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### SENATOR KENNEDY AND THE WAR ON CANCER

Mrs. HUTCHISON. Mr. President, in about 20 minutes, I know we are going to turn pay tribute to Lyndon Baines Johnson. This is LBJ Day in the Capitol, and there are many speeches that will be made, there are many celebrations, there is a huge reunion of the LBJ family and his former staff people and supporters and Cabinet officers, and I am going to speak in that designated hour. But right now, in morning business, I would like to speak about another great Senator. I wish to speak about my colleague, Senator TED KENNEDY.

We all know we got a shock yesterday; that Senator KENNEDY has been diagnosed with a cancerous brain tumor, and he has just been released from the hospital. We are all so grateful he has been able to go to the comfort of his own home with his family as they are deciding how the treatment will go forward. But I wish to take a moment to talk about something we have been working on together.

If I could think of one word for Senator TED KENNEDY, it would be "fighter." He is a fighter for the causes in which he believes. In his 46 years as a Senator, he has fought on behalf of the American people, waging so many battles to advance the causes of justice, opportunity, and peace. Now, he is set to wage the greatest fight of his life, and in that fight he has the support and prayers of all his colleagues and all the American people.

Senator KENNEDY's startling diagnosis comes the week after he and I announced our commitment to renew the war on cancer. For the last several months, Senator KENNEDY and I have been working on a bill to evaluate our

progress on cancer research and treatment, address our shortcomings, and renew our commitment to eradicating this disease. There is no other person I would rather be working with on this initiative—now more than ever.

Senator KENNEDY's diagnosis is such a poignant reminder that the battle has not been won. On May 8, the committee he chairs—the Senate Health, Education, Labor and Pensions Committee—held a hearing to discuss the Kennedy-Hutchison bill. Advocates and survivors of cancer such as Lance Armstrong and Elizabeth Edwards spoke about the need for progress and reform in all areas of cancer research and treatment. In the 37 years since the national declaration of the war on cancer, the age-adjusted mortality rate for cancer is still very high. When it is compared to the mortality rates of other chronic diseases, it is extraordinarily high. While there have been substantial achievements since the crusade began, we are far from winning this war. Let's look at the statistics.

Today, one out of two men and one out of three women will develop cancer in their lifetime. In my home State of Texas, approximately 96,000 people are expected to be diagnosed with cancer and 35,000 are expected to die of cancer in 2008 alone. The NIH, the National Institutes of Health, estimates the overall cost of cancer to our Nation in 2007 was \$219 billion.

These grim statistics should not belie the wealth of knowledge we have gained over the years, but it is time for legislation to address the shortcomings in the structure of cancer research and treatment. Senator KENNEDY and I are leading the effort to renew our war on cancer. We want to continue our search for cures, more effective treatments, and better preventive measures. The cancer community must embrace a coordinated assault against this disease. We must start looking at more cooperative efforts that focus on the big picture. The bill Senator KENNEDY and I will introduce is targeted at the following: removing barriers currently hindering our progress in cancer research and treatment; improving access to early detection measures and cancer care; reducing disparities in cancer treatment; increasing enrollment in clinical trials—this is a very important part that I think is one of the keys we are missing; and encouraging additional opportunities for cancer research and more cooperative cancer research.

Our bill will encourage the movement of medications and treatment from the laboratory to the bedside more quickly. It is time we started sharing more information. There is great research being done at many of our institutions—some in my home State of Texas and some in his home State of Massachusetts are the very best; in Maryland at Johns Hopkins; in Minnesota. We have wonderful research institutions. But we are not sharing the information enough. We need to