

What this indicates is that in the months following the release of our recommendation that the administration "aggressively" address the foreign government involvement in 9-11, the Bush administration not only failed to pursue and investigate foreign government involvement, the administration misused the classification process to protect the foreign governments that may have been involved in 9-11. There is no reason for the Bush administration to continue to shield make-believe allies who are supporting, either directly or indirectly, terrorists who want to kill Americans.

The recommendations we have made here are consistent with recommendations made by other bodies that have been formed to analyze our intelligence structure over the last decade. The political reality is that there is a broad agreement that these reforms need to be made, yet there is institutional resistance that has been too great to overcome.

Congress has assumed responsibility for reform of the intelligence community. Now is the time to act so that we might receive the appreciation of the American people for reducing the likelihood of another tragedy like 9-11. The consequence of inaction will be legitimate, strong and unavoidable criticism should we be struck again.

If 9-11 was not a big enough shock wave to overcome the resistance to change, what will it take?

I ask unanimous consent that The Washington Post article "U.N. Dissolves Panel Monitoring Al Qaeda" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.N. DISSOLVES PANEL MONITORING AL QAEDA  
GROUP HAD CRITICIZED SECURITY COUNCIL  
(By Colum Lynch)

UNITED NATIONS.—The U.N. Security Council quietly dissolved a high-profile independent U.N. panel last month that was established more than 2½ years ago to prevent the al Qaeda terrorist network from financing its war against the United States and its allies, U.S. and U.N. officials said.

The move comes six weeks after the panel, headed by Michael Chandler of Britain, concluded in a stinging report that a number of Security Council sanctions against al Qaeda had failed to constrain the terrorist network.

But Security Council members have denied the move was retribution for the panel's conclusions, saying that the quality of the group's work was uneven and that the group had outlived its usefulness.

The 15-nation council on Friday adopted a new resolution sponsored by the United States, Russia and Chile that would replace Chandler's panel with what they say will be a more professional body. The new panel is expected to keep monitoring the global war against terrorism but would be subject to closer Security Council coordination and oversight.

The dispute underscores the challenge of managing an international counterterrorism operation through an organization whose 191 members are frequently criticized for failing to cooperate. It also reflects growing frustration among members that sanctions have

done little to interrupt the flow of money and arms to al Qaeda.

Chandler criticized the decision, saying it would undercut the United Nations' capacity to combat al Qaeda. He suggested that his panel's demise was a result of pressure from influential U.N. members who had been singled out in his reports for failing to take adequate measures to combat al Qaeda.

"A number of people were uncomfortable with our last report," Chandler said. He said that the Security Council was sending the wrong message and that one of the "key elements" of a successful counterterrorism strategy is "a strong independent monitoring group."

Chandler's five-member panel—the monitoring group on al Qaeda—was established in July 2001 to ensure compliance with an arms embargo against the Taliban and a freeze on its financial assets for harboring Osama bin Laden. The mission's mandate was expanded after the Taliban fell in January 2002, granting it broad powers to monitor international compliance with a U.N. financial, travel and arms ban.

Chandler's reports have provided periodic snapshots of the international campaign against terrorism, often highlighting failings in governments' responses to the al Qaeda threat. In August 2002, after a lull in al Qaeda activities, Chandler provided a precise forecast of the network's resurgence. "Al Qaeda is by all accounts 'fit and well' and poised to strike," the report warned. It was followed by deadly strikes in Bali, Indonesia; Casablanca, Morocco; and Saudi Arabia.

"The group functioned very well, providing hard-hitting reports to the Security Council which painted a picture of what was really going on," said Victor Comras, a former State Department official who helped write the Dec. 2 report.

"I am at a loss to understand why the United States is one of the main players in redrafting the new resolution and allowing the monitoring group to lapse," he added. "The United States was the greatest beneficiary of the monitoring group because it gave them a lever to name and shame" countries that failed to combat terrorists.

One U.S. official said that last thing the United States wants is to "muzzle" the United Nations. But he said that although Chandler's panel was effective "at getting headlines," his propensity for antagonizing member states could ultimately undermine U.S. efforts to harness the United Nations' support in its anti-terror campaign. Chandler's group "did a good job," said James B. Cunningham, the deputy U.S. ambassador to the United Nations. "But we are trying to make the committee more effective."

Some U.S. and U.N. diplomats said Chandler needlessly alienated potential allies and constituents at the United Nations, including some in the United States. Chandler's 2002 report irked Bush administration officials by casting doubt on the success of the U.S.-led effort to block al Qaeda financing. The Bush administration also challenged the veracity of Chandler's assertion in an earlier report that the Treasury Department had ignored warnings from SunTrust Banks that a key plotter in the Sept. 11, 2001, terrorist attacks had previously transferred large sums of money to an account at a Florida bank branch.

Chandler infuriated officials from Liechtenstein, Italy and Switzerland with the Dec. 2 report that illustrated how two U.N.-designated terrorist financiers, Youssef Nada and Ahmed Idris Nasreddin, lived, traveled and operated multimillion-dollar businesses in their countries in violation of U.N. sanctions.

Liechtenstein's U.N. ambassador, Christian Wenaweser, one of Chandler's sharpest crit-

ics, complained that the Chandler investigation was shoddy and that he failed to adequately acknowledge his government's role in helping build the case against two alleged terrorist financiers. "We don't question the usefulness of the monitoring group. Quite the contrary. But they have to have a clear mandate and guidelines on how they should and shouldn't do their work," Wenaweser said. "They didn't bother to verify basic facts; they got some things wrong. Travel dates. Spelling of names. Some of the stuff was silly."

Chile's U.N. ambassador, Hernando Muñoz, the U.N. terrorism committee's chairman, said the new eight-member panel—called the Analytical Support and Sanctions Monitoring Team—would give "more teeth" to U.N. anti-terror efforts by strengthening the committee's expertise in finance and border controls, and improving its capacity to analyze terrorist trends.

"I would like a monitoring team that is efficient, that is independent and that can closely collaborate with the committee," Muñoz said.

Mr. GRAHAM of Florida. Thank you, Mr. President.

I yield the floor. I 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. GREGG. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GREGG. I ask unanimous consent I be allowed to speak for up to 20 minutes in morning business.

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

#### OUT-OF-CONTROL DEFICIT

Mr. GREGG. Mr. President, we are about to take up a new spending bill in the Senate involving transportation funding for the United States. This bill, which is an important bill, comes to the Senate in a fiscally unsound condition. That is regrettable. What is even more regrettable is that this is the continuation of an unfortunate line of legislation which has come to the Senate and which has been passed by the Senate and passed by the House. In some cases, not passed by the Senate but at least passed by the House, and has significantly expanded spending at the Federal level, which has in turn dramatically aggravated the national deficit. This is unfortunate.

To recap some of the bills, we had, for example, the agriculture authorization bill, which included basically a conversion to an entitlement scheme of most of the agricultural programs and dramatically increased spending in those accounts well above what we would have budgeted on the discretionary side.

That was followed, of course, by the most significant piece of spending legislation in my career in Government, the most significant piece of legislation from an entitlement standpoint since the Medicare bill was originally

passed back in the late 1960s, early 1970s period, and that was the Medicare prescription drug bill. That bill included \$400 billion—as represented, at least—of new spending over 10 years, which was unpaid for, and which had, after it is outside the 10-year budgeting window and got into the real terms of how that bill was going to affect national spending, had a price tag of somewhere between \$6 and \$8 trillion of unpaid-for spending.

I did not support the Medicare prescription drug bill because I felt it was the largest generational tax increase in history, basically raising significantly the benefits for one generation which will have to be paid by a younger generation. That means the younger generation is going to have to increase their taxes significantly to support the older generation, my generation, the baby boom generation, by the tune of \$6 to \$8 trillion. Thus, I did not support that bill because I did not think it was fair to the younger generation to put this tax bill on them without substantive reform in the bill which would control the costs of Medicare. We passed this bill only 2 or 3 months ago.

Now we learn the original estimates of the bill, which were \$400 billion over 10 years, were misstated. It now appears the bill is going to be projected at costing \$500-plus billion. That amount also is probably misstated. That is probably a conservative number. At the time the Medicare bill was debated in the Senate, there were some Members who said the accurate reflection for the 10-year period was closer to \$700 billion, but the debt was not being correctly stated and, scoring being scoring, the bill came in at \$395 billion. Ironically, if it came in at \$401 billion, it would have been out of order, but it came in at \$395 billion so it was in order.

Now we learn 3 months later it really was \$500-plus billion. That is just in 3 months. Imagine, if it jumped \$100 billion, or 25 percent in 3 months, at the end of a year, if you project that number out, it will jump—that is a progressive geometric number—somewhere around 200 percent by the end of this year. Hopefully not.

In any event, the fact that we were misled, the fact that this number is so high is unfortunate. The problem is, it puts in place structural spending which is out of control and which has to be paid for by one generation in order to support the next generation, which is unfair for our generation to do to our children unless we put in place reform. And there was no significant reform. That was the most egregious act I have seen in my career in Congress or in Government in the area of fiscal responsibility, because of the inappropriateness of one generation passing a tax increase on to another generation.

That bill, which was a huge bill, was then followed by the Energy bill. The President of the United States asked for an \$8 billion Energy bill. I supported an energy bill. We need an en-

ergy bill. It should be based on expanding conservation. It should be based on expanding renewables. It should be based on expanding supply. I am one of the few Senators from the Northeast who aggressively voted for all three of those areas. However, when the President asked for \$8 billion, I thought that was reasonable and it was a budgeted figure.

What happened? The Energy bill came back in the Senate at \$24 billion which was \$16 billion over what the President asked for. Due to a group of Members, fiscal conservatives and people concerned about some of the technical aspects of this bill, it did not make it through a filibuster issue.

Now it is up to \$31 billion. It just keeps going up and up and up. Those costs have to be passed on, once again, to our children, because we are basically financing the cost of that Energy bill on our children's backs through deficit spending. It is totally inappropriate that a bill that was supposed to be \$8 billion ends up at \$31 billion.

Those bills are three egregious examples in the area of spending control, now to be followed by a fourth, it appears. Presently, we have the Transportation Equity Act for the 21st Century, known as TEA-21, which basically funds the construction of highways, rail, and intermodal transportation in this country. This area of activity for governance is generally accepted to be an important part of our job as stewards of our country. We must maintain a strong infrastructure. I certainly believe that. So to accomplish that when TEA-21 was passed a few years ago, there was a 40 percent increase in funding over the previous funding bill, ISTEA.

The theory was that we would take the money from the trust fund, which was paid in through the gas tax and other related taxes, and fund transportation in this country to the full extent of the amount of money we were taking in from the users of the highways and the users of the transportation system. That was a reasonable approach.

There is no reason we should be taking money from the gas tax and using it for other exercises in Government, other needs in Government, whether they are justified or not, such as investments in agriculture or investments in small business or investments in education. It is appropriate that we should use the user fee, which is the gas tax, to support the construction of highways.

The whole concept of the transportation bill was: We would pass a transportation bill which funded the construction of highways in this country and intermodal transportation at the level that the transportation system was supporting itself, basically through the gas tax and other revenue sources.

We budgeted for that as a Congress, and then it was sent to committee. Regrettably, what we have seen come out

of committee is something entirely different. What the budget suggested we spend in this area—depending on how you account for this—is either \$221 billion or \$255 billion. Mr. President, \$221 billion is basically what the revenues are coming in from the highway fund, but we could have gone up to \$255 billion if the total spending could be paid for by legitimate sources of income into the trust fund. Unfortunately, what happened when this bill came back was we ended up with a \$318 billion bill. This represents a \$93 billion increase over present funding under TEA-21. In fact, the Senate position is conservative compared to the House's position because the House is looking to pass a bill which represents something like \$375 billion for this six year period of spending.

These numbers are staggering. There are going to be a lot of numbers thrown around this body in the next few days on this bill, but no matter how you account for it, it is fairly clear this bill is over the budget by somewhere between \$30 and \$70 billion, depending on where it ends up, maybe even more. That is inexcusable.

There will be an attempt to mask this. In fact, the Finance Committee will report out language which tries to accomplish that. They took a whole series of different taxes which are now flowing into the general fund, and they moved those taxes over to the trust fund, thus claiming the trust fund had revenues. They do not mention the fact, of course, that aggravates the general fund because if the money is not going to go into the general fund, then that becomes a deficit event.

Again, it is not absolutely clear, because we have not gotten all the numbers yet, which is one of the reasons we should not be bringing this bill up yet, but it appears we are talking somewhere in the vicinity of \$20 to \$40 billion of gamesmanship here by moving revenues out of the general fund into the highway fund, and by claiming revenues from sources which do not pay revenues in. It appears that is a game that is being played.

It is staggering when you think about it that we would have the chutzpah as a Congress to call up a bill that is \$30 to \$70 billion over the budget and in deficit when the deficit was just reported as being \$520 billion—or projected to be that much for next year—and \$477 billion for this year. It is as if there are blinders on in this institution on the issue of spending.

Unfortunately, it is a bipartisan problem. That is why I guess it is happening so often. The Agriculture bill was a bipartisan bill. The Medicare bill was a bipartisan bill. The Energy bill was a bipartisan bill, and it appears that this highway fund has enough of a bipartisan majority to ram it right through this Senate, as fiscally irresponsible as it is.

The problem is this: We can build all the roads in the world, but if we do not do them in a fiscally responsible way,

then our children are not going to be able to afford cars to drive on those roads. Their quality of life is going to be reduced because we are adding to the deficit, and that means we are adding to their tax burden every time we do this. That debt burden translates into a reduced quality of life for future generations.

We have put forward as a Congress a legitimate benchmark for legitimate spending in the area of TEA-21. The budget had in it a proposal to significantly increase TEA-21 spending, I think by something like 30 or 40 percent. But that has been ignored. It has been claimed that that amount is not enough. No. We have to go ramming past that and propose a bill on the floor of the Senate that is \$93 billion over last year's spending and \$30 to \$70 billion over what the budget called for. And that is just the start.

There is a game being played here besides the fact that most of the revenues for the additional funds which are claimed to be offset here are illusory, which is so outrageous that it gives smoke and mirrors a bad name. That is just the start because we all know what is going on. There is an agreement, a sub rosa agreement, if you wish, between the people who are supportive of this bill in this body and the people who want more spending in the other body that this figure that comes out of the Senate is irrelevant, that the final number is going to be a lot higher than the Senate number. As I mentioned, the House is already talking about numbers in the high 300s, and the representation we hear is we will be closer to the House number coming out of conference than the Senate number, which is already grossly inflated as far as cost.

So I just simply lay this marker down. We are going to have to start getting serious about this deficit. We have not so far as a Congress, but we are going to have to because it is our job. It is our job to be stewards not only of today but of what we pass on to tomorrow.

If we are going to be good stewards, then we have to be fiscally responsible. I hope others will take a serious look at this bill before they vote for it. Before they even vote to go to it, it would be nice if we actually knew what was going on and how many more games are going to be played before we go to the bill in its substantive form. We should certainly be willing to ask that much before we have cloture on the motion to proceed.

But, in any event, as we debate the language of this bill and the purposes of this bill—which are well intentioned, and which can be paid for at a reasonable price—we need to keep in mind that this is one part of a series of bills that have not been fiscally responsible, and we have to start someplace in being responsible in managing the dollars of this country effectively. The other horses are out the barn door, with the exception of energy, although

there is some talk that they are going to attach energy to this bill.

This is the only item that is before us so far, but it is a big one. Therefore, we should take a hard look at it. Before we move it out of this body, we should try to bring it back in line with our budget and with the realities we face as a country, which is that we are spending a lot more money than we can afford as a Government.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

Mr. INHOFE. I thank the Chair.

#### SAFE TRANSPORTATION EQUITY ACT OF 2003—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the hour of 3 p.m. having arrived, the Senate will resume consideration of the motion to proceed to the consideration of S. 1072.

Madam President, we are about to begin discussion on the cloture motion we will be voting on this afternoon. It could be considered by many people as the most significant piece of legislation we will be dealing with this year or maybe even in a 6-year period. The current extension of TEA-21, passed in 1998, expires on February 29. We have to act. We have no other option. Some might argue that we can do another extension, but another extension without Senate action on a 6-year bill sets us up for not doing a reauthorization bill this year at all. That is just not acceptable.

The President has released his fiscal year 2005 budget, and I believe it misses the mark with transportation funding. He proposes funding \$256 billion on highways and transit, approximately \$55 billion under the Bond-Reid amendment that we agreed to with a plurality of 79 votes.

Earlier today we heard from Senators who believe that S. 1072 proposes a level of spending that is too high, that we need to bring it into line with the President's numbers. I disagree. I strongly support the President on virtually everything he is doing, but in this case I do not agree. We have a crisis in the country in terms of our infrastructure and we must meet this crisis. We need to stick with the Bond-Reid level and need to get the bill done now.

For those who want to wait to do a bill, we caution you that putting this off only makes it harder. The current extension is spending down the trust fund balance. If we do another extension, the balance will be spent down even further, which means we will have little choice at that point but to increase fuel taxes. In my mind, indexing

fuel taxes was probably a fiscally responsible position at one time because it does preserve the purchasing power of our transportation dollars. But I also understand the political realities. I know it is not a viable option at this time.

This bill does not assume an increase in fuel taxes. Due to the good work of Chairman GRASSLEY and Ranking Member BAUCUS, both of whom I met with this morning—and both have been real champions in working diligently to make this happen—the deficit is neutral in this bill.

Don't fool yourselves into believing that delaying action on this bill is saving money. The exact opposite is true. For instance, our transportation infrastructure will continue to deteriorate. Thirty-two percent of our major roads are in poor or mediocre condition. Thirty-nine percent of our bridges are structurally deficient or functionally obsolete. As much as I hate to admit it, my State of Oklahoma ranks last of all 50 States, which is not too complimentary to the idea that I am the chairman of this committee. The cost to address these issues only increases the longer we wait.

In addition, the economic consequences escalate because poor infrastructure contributes to congestion, which means lost productivity to the tune of \$76 billion.

Additionally, another delay to enacting a 6-year comprehensive bill will frustrate our State departments of transportation in their own programs. They need the assurance and security of a stable Federal program in order to make their individual programs work. As you well know, they have worked on these programs now for not just months but well over a year anticipating that we would have this reauthorization underway.

Finally, we are missing an opportunity to create jobs. For every \$1 billion invested in Federal highway transit spending, 47,500 jobs are created. We estimate that S. 1072 will impact the overall job growth by 700,000 jobs. To the construction worker, our bill would generate over 2 million opportunities for employment. In other words, when one job ends, there will be another opportunity available so the construction worker can move from one job to another thereby avoiding unemployment. I think that is a good thing and one each of us in this Chamber should be willing to roll up our sleeves and work to get done. I anticipate that is exactly what we are going to do.

In addition to a job creator, spending on transportation makes good economic sense. For every \$1 billion in transportation expenditures, the gross domestic product increases by \$1.75 billion. Furthermore, transportation investments improve freight mobility which in a "just in time" delivery business model is critical to growth.

I recognize for those who believe this bill should be stopped for budgetary reasons that my arguments may not