



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, TUESDAY, NOVEMBER 14, 2006

No. 128

Senate

The Senate met at 2:15 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Creator and God, You provide us with strength. Lead us in life's battles. Keep us from retreating when we confront overwhelming challenges and painful losses. With Your powerful arm, chase away the forces that seek to confuse and discourage us. Let Your shining glory illuminate the road ahead. In Your kindness and mercy, rescue us from ourselves.

Guide the Members of this body in the path they should walk today. May their thoughts, words, and actions bring You pleasure. Teach them how to make concessions without coercion and to find conciliation without compromise.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. SUNUNU. Mr. President, this afternoon we will resume consideration

of the Military Construction-Veterans Affairs appropriations bill. We will be voting later this afternoon. Once a vote is scheduled, we will notify Senators as to the exact timing of that vote. As it stands now, we are looking at a late afternoon vote as the first vote of the day. If we can expedite floor consideration with a handful of relevant amendments, it is our hope we should be able to finish this important spending bill today.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 5385, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3585) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 11, 2007, and for other purposes.

Pending:

Akaka/Obama amendment No. 5128, to provide, with an offset, an additional \$2,500,000 for the Department of Veterans Affairs for the Office of Inspector General.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 5144

Mr. CONRAD. Mr. President, let me thank Senators HUTCHISON and FEINSTEIN, the managers of this bill, for the opportunity to offer and discuss my amendment to provide emergency agri-

cultural disaster assistance for our farmers and ranchers. Normally, most of my colleagues know I would not offer this amendment on an unrelated measure. Our hand is forced. We are told it is highly unlikely there will be an Agriculture appropriations bill considered separately. We have no alternative but to offer this measure to this legislation.

This amendment will determine whether thousands of farm families will be able to continue next year. We have had 2 years of unusual natural disasters that have affected agriculture across this country. These people need to know whether they can continue in the business of farming and ranching. Their bankers need to know. This legislation is critical to that determination.

For over a year, I, along with many of my Senate colleagues—let me indicate that it is already nearly 20 of my colleagues—have come on a bipartisan basis to cosponsor this bill, including Senator COLEMAN of Minnesota; Senator BEN NELSON of Nebraska; my own colleague, Senator DORGAN of North Dakota; Senator SALAZAR of Colorado; Senator HAGEL of Nebraska; Senator JOHNSON of South Dakota; Senator THUNE of South Dakota; Senator ENZI of Wyoming; Senator BAUCUS of Montana; Senator REID of Nevada; Senator CLINTON; Senator OBAMA; Senator DURBIN; Senator LEAHY; Senator HARKIN; Senator CANTWELL; Senator BURNS of Montana; Senator SCHUMER; and Senator ROBERTS of Kansas. Repeatedly, we have come to the Senate to try to get disaster assistance considered.

Last spring, as part of the hurricane supplemental, the Senate approved an agricultural disaster package for the 2005 crop-year. That measure was dropped in conference due to opposition from the administration and the House leadership. I have taken out the provisions that drew the opposition of the administration. Those direct payments that were an offset to the dramatic runup in energy prices are not in this bill.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S10889

The legislation I am offering today is nearly identical to the bipartisan relief provision I introduced on September 20, 2006. My amendment is bipartisan and has 19 cosponsors.

The need for this amendment is compelling. In North Dakota last year, as this picture shows, we faced extraordinary flooding. Over a million acres were prevented from being planted. Hundreds of thousands of acres that were planted were drowned out because of excessive rainfall. There was no disaster assistance for those farmers.

This year, in the irony of ironies, we now have experienced an extraordinary drought. This is a picture from my home county, Burleigh County, where the capital of North Dakota is located. This is a corn crop, but nothing was produced. It is only one of thousands of fields that were not worth harvesting.

This drought has been determined by the USDA meteorologist to be the third worst drought in our Nation's history. Only the Dust Bowl of the 1930s and the prolonged drought of the 1950s compared to what many parts of the country have been facing.

This chart shows the U.S. Drought Monitor. It shows how severe the drought was all across the Midwest and Southeast. Its darkest colors represent exceptional drought. North Dakota and South Dakota were the epicenter of this drought in late July. It has been totally devastating to my part of the country. If assistance is not granted, literally thousands of farm families will be forced off the land. That is a fact.

The independent bankers of my State said to a White House representative who was in my office that if assistance does not come, 5 to 10 percent of their customers in North Dakota will be forced out of business. Mr. President, 34 farm organizations have told Congress that assistance is needed and it is needed now. In addition, we have a letter from the State commissioners of agriculture from all across the country saying that emergency agricultural disaster assistance is a high priority requiring action by Congress this year. It could not be more clear. Assistance is needed. It is needed now.

As I noted last May, the Senate approved disaster assistance, only to be thwarted by the threat of a veto. In June, the Senate Committee on Appropriations once again approved emergency disaster assistance as part of the Agriculture appropriations bill for 2007. Thus far, that bill has failed to come to the Senate.

On numerous occasions, including the last day we were in session before we recessed for the elections, I tried to get the Senate to adopt disaster relief legislation. Again, the effort was stymied.

Today, we have another chance to do what is necessary and what is right. My amendment incorporates many of the provisions already approved by the Senate, but I have made a few modifications to address the objections

raised by the administration. The economic assistance provisions help producers offset rising energy costs, and the direct grants to States to assist specialty crop and livestock sectors have been removed. Those provisions, at the insistence of the White House, have been removed.

Also, the administration has stated that we need to wait until harvest is concluded. The harvest is now over for 2006; the losses are real and significant throughout many parts of the country.

The crop and livestock production loss provisions contained in the original legislation were retained and will apply for both the 2005 and 2006 production years. Crop producers will still need to demonstrate a 35-percent loss before they get any assistance. The Livestock Compensation Program will only be made to producers whose operations are in counties designated as disaster areas by the Secretary and who can demonstrate they have suffered a material loss. The legislation also contains additional funding for conservation operations to help restore and rehabilitate drought and livestock losses on grazing land. Scientists have told us this is imperative. Because of the modifications, the cost of providing disaster assistance for 2005 and 2006 has been reduced from \$6.7 billion to \$4.9 billion—a reduction of nearly \$2 billion.

Farmers and ranchers need assistance for the 2005 and 2006 fall disaster losses, and they need it now. If these emergencies are not addressed, literally tens of thousands of farm families and Main Street businesses will suffer, many irreparably. It is time to act and allow the Senate to vote on this amendment.

Mr. President, I conclude by saying I regret having to offer this amendment to this legislation. I have no choice. We have no choice. The over 20 Members of the Senate who have come forward to sponsor this legislation in various variations of the legislation have no choice. If we do not act now, tens of thousands of farm families will not be able to continue. The stakes are high. I urge my colleagues to give favorable consideration to this legislation.

I yield the floor.

The PRESIDENT pro tempore. The Senator from South Dakota.

Mr. JOHNSON. Mr. President, I rise today in support of Senator CONRAD's agriculture disaster assistance amendment and am pleased to be a cosponsor of this important legislative package. The package would provide comprehensive, critical relief dollars for agriculture disaster. It would provide assistance for a drought that has plagued our Nation's family farms, including those in my home State of South Dakota.

Producers in South Dakota have suffered from drought conditions that have rivaled the Dust Bowl of the 1930s. These chronic conditions have already ruined the wheat and corn crop for many producers in the State and re-

sulted in thousands of cattle being sold off prematurely in auction barns. Those who have already sold the factory are left with only a mortgage to pay and no relief in sight.

Senator JOHN THUNE and I jointly traveled across South Dakota this summer to some of the areas hit hardest by this drought. We consistently heard about the astronomically high price for hay and fuel costs for transportation, if a producer could even find forage to purchase. We saw the effects of the drought on corn and soybeans, many of which barely got out of the ground and were stunted by desert-like conditions. Some producers saw yields that measured out to the tenth of the bushel, after being socked with severe fuel and fertilizer costs.

At a stop at the Ft. Pierre Livestock Sale Barn, we met with ranchers who finally had to sell out because of extreme conditions. The Herreid Livestock Sale Barn saw an estimated 2,500 to 3,500 head per week over the summer instead of the usual 200 to 300 cattle per week for that time of year.

I invited USDA Secretary Mike Johanns to travel to South Dakota and see this extensive damage firsthand. The Secretary of Agriculture came to my home State, but, unfortunately, rolled out a grossly inadequate agriculture disaster assistance program. This empty shell game is a glaring example of the "too little, too late" approach that this administration has too often employed with agriculture disaster assistance.

The Agriculture Department released only \$2 million in Grasslands Reserve Program money and less than \$7 million in Emergency Conservation Program funds to South Dakota over the summer. These dollars barely made a dent in the backlog of producers who have applied for these programs, leaving many out in the cold.

While in my home State, the Secretary announced the release of section 32 funds for distribution in our agriculture communities, amounting to \$50 million in block grants to drought-impacted States. Although South Dakota has been subject to chronic extreme and exceptional drought conditions, the State received only \$4.3 million. It was announced that Texas, however, would be given \$16.1 million in assistance.

The administration's disaster relief package provides just a fraction of the dollars that the 2005 disaster relief measure, that my colleagues and I successfully attached to the most recent agriculture appropriations bill, would contain for my home State of South Dakota. Over \$100 million would be directed toward producers impacted by devastating conditions, including comprehensive livestock and crop assistance measures.

The agriculture appropriations bill, however, has yet to see the light of day for debate on floor of the U.S. Senate. It is my hope that the majority leadership would allow this bill to be considered with due process.

My colleagues and I also passed agriculture disaster assistance as part of the supplemental spending measure that funded Katrina relief efforts and the war in Iraq. Because of a Presidential veto threat, however, the vast majority of meaningful agriculture disaster assistance was stripped out. The White House said that it would reject money for our troops in Iraq and victims devastated by Hurricane Katrina if that spending package contained a nickel of agriculture disaster relief for our Nation's farm and ranch producers.

Secretary Johanns adopted a "wait and see" approach to aiding our rural communities. The Secretary said this summer that he wanted to see how the harvest looked after the combines ran before considering further agriculture disaster aid for this production year. As the worst drought since the Dust Bowl, however, combines haven't run at all in parts of South Dakota. Our Nation's food security demands immediate assistance, not stop-gap measures and delay tactics.

Agriculture disaster is like any other disaster, and producers deserve meaningful relief. The administration continues to dig in their heels on drought assistance for our Nation's producers. Yet, this White House places a priority on rebuilding Iraqi agriculture while crying poor and lack of revenue at home.

The truth is that the administration has the authority to provide more comprehensive drought assistance at the stroke of a pen, if it wants, just as it did in 2002.

I urged President Bush to establish a program that would target those who suffer from actual losses, avoiding the type of waste and abuse that was disclosed with the implementation of the 2002 program. I expressed my interest in working with the Department of Agriculture to develop an effective and timely plan before more producers sold the family farm and were forced out of business. It has become painfully clear that real drought relief is not on this administration's current agenda.

The administration's lack of action on drought assistance underscores a need to pass this drought amendment today. This comprehensive agriculture disaster assistance measure covers 2005 and 2006 losses with a livestock compensation program and resources for crop production losses, and funds are included for impacted sheep producers. Small business assistance grants will also offer critical help. This amendment qualifies agriculture disaster money as an emergency, deserving immediate attention—attention that has so far been denied.

Producers are faced with critical financial decisions, and for many relief was needed frankly, months ago. Because of this drought and the delay in assistance, many producers won't be able to rebuild their herds.

A meaningful agriculture disaster relief package already passed the Senate—it was only because of this admin-

istration's veto threat that it was stripped out in conference by leadership.

Today I am pleased to join with my colleagues in offering comprehensive agriculture disaster assistance for 2005 and 2006. I thank Senator CONRAD for offering this important legislation. An agriculture disaster is a natural disaster, like a tornado or a hurricane, and providing relief for our Nation's producers is simply fair and simply just.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I thank my colleague Senator CONRAD for his leadership, my colleague Senator JOHNSON, and so many others, Republicans and Democrats, who have worked together to try to construct a piece of legislation that would provide some disaster help for farmers, and then to try to get it through the Congress and get it to the President's desk for his signature.

This has been a long, tortuous trail. Twice before the Senate has passed disaster relief for family farmers—twice. Both times it went to a conference with the House. I was a conferee on both occasions. I was involved with my colleagues in attaching it to the appropriations bill as it went to a conference. We got to conference. Both times the President threatened to veto the legislation, to block it. And he got the conferees on the House side to require that it be taken out of the conference report. Therefore, this is the third attempt on the floor of the Senate to do this piece of legislation. And it is very important.

Let me talk for a moment about this issue of farming because we all come to work and we wear neckties and suits and take showers at the start of the day. Farmers take showers at the end of the day because their work is hard. They feed cattle. They plow the ground. They grease a tractor. They run a combine. They put up hay. They do all the things that represent very hard work out in the land, and they are economic all-stars.

The ability of the American family farmer to feed more and more people is pretty extraordinary. But they work very hard and they produce a product. If things cooperate, if they get decent weather, enough rain, the disasters don't come, the insects aren't there, then they produce a crop. They produce a kernel of corn, perhaps some wheat, a kernel of barley, some rice. What happens is the wheat gets puffed by a company someplace, after it gets hauled by railroad, and then it gets put in a box and sold as puffed wheat. The farmer gets almost nothing. The railroads take too much, and the box of puffed wheat costs an unbelievable amount of money.

The same is true with crisping rice. It goes into a box called Rice Krispies. The same is true with corn. They flake the corn, put it in a box, and call it

corn flakes. The railroads get a lot of money for hauling that corn to market, the people who sell the corn flakes get a lot of profit, and the farmer gets almost nothing. That is what farming has always been about. But they only get the crop in the first place if they do not get wiped out by a natural disaster—whether disease, insects, or so on.

Now, what has happened in the last couple of years, particularly in our part of the country, the Dakotas were called the epicenter of a drought, the epicenter of a drought. So those farmers, who in the spring went out and planted their crops, discovered they did not have any crop growth at all. Nothing came up in those fields.

It is pretty unbelievable to drive by a field that is supposed to be a field of grain and see it look like a moonscape. I drove to Zeeland, ND, one day, a very small town just north of the South Dakota border. And as I drove into that town, to my left was a patch of ground that looked like moonscape—no vegetation at all. There had been no rain there. One hundred ranchers gathered in a small community hall in Zeeland, ND, to talk about what this meant to them. One after another, they stood up to talk about what it means when you don't get rain.

One fellow from another part of our country who had moved back to North Dakota said: I had never, ever understood why they measured rain in hundredths. How much rain did you get? Twenty hundredths, twenty-four hundredths. I never understood before why they measured rain in hundredths until I came to North Dakota, a State with 15 to 17 inches of annual rainfall in an entire year. And then what happens? It stops raining, and you have a drought and nothing grows; or it rains too much, and you get one-third of the annual rainfall in one day. We have had both happen. One happened the year before, in 2005; one happened in 2006.

Some will say: Well, you just come and talk about farming all the time. Family farmers this, family farmers that. There is a writer in North Dakota, a farmer, a rancher, down near Almont, I believe. His name is Rodney Nelson. He asks in some of his prose some very important questions: What is it worth to our country? What is it worth for a young person to know how to plow a field, to grease a tractor? What is it worth for a young person to know how to weld a seam, how to combine a field of grain? What is it worth to have a young person know how to build a lean-to, how to take care of cattle, how to care for livestock? What is it worth to have young people know how to work in the bitter cold and do chores in the morning in the bitter cold, or to be out in the fields when it is unbelievably hot, combining that field of grain? What is that worth? There is only one university in America where those studies are taught, and that is America's family farms.

What is it worth to us? Do we want to save those farmers when they run

through some tough times, when they reach a tough patch? That is what has happened here.

Always before our country has said: Do you know what. When you are out there alone, living under a yard light, and you and your family are trying to make a living and you get hit with a natural disaster, this country is going to help. This country wants to reach out a hand and say: You are not alone. We want to help you.

Well, in the new farm bills, they took out the disaster title. There ought to be one. I intend to offer legislation to put a disaster title back in the farm bills so we are not begging at the end of every session to try to provide some help to farmers who otherwise are going to go broke.

Let me describe, as my colleague has done, this picture of a soybean field in North Dakota. There are not any soybeans there. That is a field that is dead, with barely any green at all. Normally, these soybeans would be lush, filling that piece of ground, and would be a foot tall. But, as you can see, these plants are worthless. There is not much alive in that photograph.

I have talked to farmers who sold off their entire herds. I talked to a young farmer who built a herd of cattle for 3 years. It was his life's goal to take over from his parents. He built his herd for 3 years and was barely making it, and then this drought hit and he had nothing to feed his cattle. If you don't have anything to feed your cattle, those cows are going to market. His cows are gone. He is out of business.

Shown in this picture is a man from my State who was a rancher. His name is Frank Barnick. He is shown walking on a creekbed. It does not look like that. It looks like, again, a moonscape. That is a creekbed that would hold water for his cattle, but it is dry. Frank said this is the worst drought he has ever seen.

These people, Frank and his neighbors and friends, are not asking a lot from this country. They are asking if this country cares whether family farmers are able to live on the land and continue farming. They hope that the answer is yes and that this country understands farmers contribute something very important. Family farmers contribute something very important to this country. A fellow who I thought was a wonderful author, used to write in a book about the nurturing of family values in America. He always described that family values in America came from family farms, the seedbed of family values, and they rolled to small towns and big cities, nurturing the value system and culture along the way.

We have attempted time and time again to get some disaster aid for people who need help. We asked the President, in the middle of the drought this year, to come out and do a drought tour. He was not able to do that. I went back and recalled that President Franklin Delano Roosevelt came out

for a drought tour. We don't have a lot of Presidents stop through North Dakota. When they do, we are enormously honored to have them join us and be a part of North Dakota.

I wanted to read you a couple of things that President Roosevelt said. He stopped in Huron, SD, exactly 70 years ago. Then he stopped in North Dakota—both on a drought tour, both on a train—and spoke to people. Here is what he said to our neighbors to the south in Huron, SD, on a drought inspection trip. He said:

No city in an agricultural country can exist unless the farms are prosperous.

I understand our economy has grown in ways that make this less than an agricultural country, but it certainly has not been the case with respect to agricultural States, where a predominant part of our economic base is still agriculture and family farming.

Here is what else the President said in Huron, SD, 70 years ago, understanding that family farmers were having great trouble during that drought:

I have come out here to find you with your chins up, looking toward the future with confidence and courage. I am grateful to you for the attitude you are taking.

That is the only way you could ever farm. There isn't anybody who would decide to be a farmer if they didn't look forward to the future with hope. They plant a seed and hope. They hope what they planted will produce a crop. It is the only way farmers can exist.

When Franklin Delano Roosevelt went to North Dakota 70 years ago on a drought tour, here is what he said:

But, when you come to this water problem through here, you are up against two things. In the first place, you are up against the forces of nature and, secondly, you are up against the fact that man, in his present stage of development, cannot definitely control those forces.

He continued:

Today, out here, I do not ask you to have courage and faith. You have it. You have demonstrated that through a good many years. I am asking, however, that you keep up that courage and, especially, keep up the faith.

If it is possible for Government to improve conditions in this State, Government will do it.

We hope that Nature is going to open the Heavens. When I came out on the platform this morning and saw a rather dark cloud, I said to myself, "Maybe it is going to rain." Well, it didn't. All I can say is, I hope to goodness it is going to rain, good and plenty.

My friends, I want to tell you that I am glad I came here. I want to tell you I am not going to let up until I can give my best service to solving the problems of North Dakota.

Again, Franklin Delano Roosevelt, 70 years ago to family farmers: If it is possible for Government to improve conditions, we will do that. He said to the farmers: You are not alone. We want to help.

Let's say that again today, let the Congress say that to our farmers: You matter. You make a difference to this country's future. Your contribution to our culture and our economy is important. This Congress has not forgotten

that. We will remember it today by investing in the future and saying to family farmers: We want you to be able to continue to farm. We don't want you wandering, as you go into spring planting, whether you are going to have the ability to remain on the farm with your family, producing food for a hungry world.

We want to pass a disaster aid package, one that puts this Congress in the same position that Franklin Delano Roosevelt was in 70 years ago, saying, if it is within the capability of this Government to help, we intend to help.

Again, let me compliment my colleague, Senator CONRAD. I am pleased to work with him, as I have for many decades. This is an important amendment to offer now. While this is not the optimum place to offer this amendment, as this appropriations bill deals with different appropriations, we have not had the opportunity to do anything but this because we have not been given the opportunity to move this legislation separately. We offer it hoping for good will and for the support of others.

This is not partisan. It is bipartisan. Republicans and Democrats from farm country understand the importance and the value of doing this kind of legislation that says to family farmers: You matter to this country.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I join in thanking my colleague from North Dakota for giving me the opportunity to speak about the trials of Minnesota farmers. I join in this bipartisan plea to deal with an issue that is of great importance to many Minnesota farm families.

While my colleagues from North Dakota speak from the other side of the aisle, our call for assistance for our farmers is made with one voice. I particularly thank Senator CONRAD for his leadership on this issue. After last week's election, there was a lot of discussion about how the parties can, and should, work together, how we should find common ground on behalf of the American people. Here is one of our first opportunities to display bipartisanship. Supporters of this disaster assistance package hail from all over the country and from both parties. This amendment is just the sort of bipartisan cooperation that this body should embrace to meet the Nation's needs.

The need for agricultural disaster assistance is great. Minnesota farmers have had to fend for themselves in the face of real natural disaster; first, against record flooding in 2005 and now record drought in 2006. In the sugar sector alone, revenue was reduced by \$60 million in Minnesota in 2005, thanks to this natural disaster. In one county, crop loss exceeded \$52 million and farmers were prevented from planting over 60,000 acres, thanks to saturated fields. Now with one of the worst droughts ever experienced in the Great

Plains, Minnesota farmers have experienced hundreds of millions of dollars of crop loss in 2006. The pictures that we saw of North Dakota show the same reality that is faced in Minnesota.

It isn't just about statistics. It is about farmers enduring personal struggles. This summer, in Lake Bronson, MN, about 100 farmers showed up, out of a town of 180, to talk about the impact on their lives and families. It is about the farmers calling my office, desperate to save the family farm. I have received letters from scores of Minnesota farmers talking about the impact on their lives, on their families, families that go back through generations of farming today could come to an end because we haven't done something that needs to be done. The producers who will not be coming back to the fields next year as a result of catastrophic weather aren't just losing a family business, many are losing a family tradition.

In June, I came this floor appalled that the Senate would pass an emergency supplemental appropriations bill that offers a helping hand to some Americans and a cold shoulder to others. Since then, the only thing that has changed is that the burden of natural disaster has grown heavier on American farmers with the addition of last summer's record drought.

It isn't that this Congress has refused to pass agricultural disaster assistance. In fact, we provided \$1.6 billion in emergency agricultural assistance. Of course, none of my farmers will benefit from this assistance unless they happen to own a farm in one of the Gulf States. Congress still hasn't provided a dime for farmers suffering from natural disasters outside of the gulf region. It would shock many Americans to learn that natural devastation must come in the right package to be worthy of Federal aid. The message being sent is that record flooding and droughts don't count, only hurricanes.

I traveled to the gulf to see the hurricane damage firsthand in order to more fully understand what my fellow Americans who live far from my home in Minnesota are suffering. I have wholeheartedly supported their cause in Congress. At its core, this is an issue about equity and fairness for all regions that are suffering. And to the thousands of Minnesotans whose very livelihoods have been jeopardized and those losing farms due to last year's disastrous weather, withholding assistance is nothing short of cruel.

Some folks in Washington have cited the overall success of agriculture in 2006, the aggregate numbers, as a justification for withholding assistance. Congress didn't look at the overall economy when determining what sort of assistance to send to the gulf after the hurricanes. We didn't cite the Nation's robust GDP growth and lower unemployment rate as reasons not to assist gulf communities whose local economies were devastated by natural disaster, nor should we propose such a

false standard for comprehensive agricultural disaster assistance.

Let us seize the opportunity for this body to show Americans that we understand and reflect the character and the heart and soul of America, a big heart that understands that Americans are there with a helping hand for all those deserving of assistance in times of extraordinary need. Let us show America that the Senate will work in a bipartisan spirit to meet their needs.

I urge my colleagues to support passage of this critical amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. DEMINT). The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that the pending amendment be set aside so that I may call up amendment No. 5123.

The PRESIDING OFFICER. Is there objection? The Senator from North Dakota.

Mr. CONRAD. Mr. President, I would reserve the right to object. This presents us with somewhat of an awkward situation because I have withheld offering my amendment. The only amendment pending is the amendment of the Senator from Hawaii, Mr. AKAKA. But we have been on my amendment. We withheld actually offering it. I would ask my colleague if she would at least allow us to call up my amendment—Senator AKAKA was waiting to speak on the amendment—and then be able to lay that amendment aside?

The PRESIDING OFFICER. Is there further objection? The Senator from New Hampshire.

Mr. GREGG. Reserving the right to object, I also wish to speak to the amendment that is about to be called up by the Senator from North Dakota. In order to maintain continuity, I would hope that I could speak after the Senator from Hawaii, if that is going to be the speaking order. If we are going to go to the Senator from Maine as an intermediary event, that is fine, too. If we are going to continue on this amendment, I would like to participate.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. Reserving the right to object, I had told the Senator from North Dakota that he could offer the amendment, and then I asked that he set it aside so that Senator COLLINS could offer her amendment, after which we would have a voice vote, but his amendment would still be in order. I did not know that Senator AKAKA was going to speak on it. I ask the Senator from Maine if it would be acceptable to allow the Senator from Hawaii 10 minutes, the Senator from New Hampshire 10 minutes, if that is acceptable, and then the amendment would be set aside and Senator COLLINS and Senator FEINGOLD would be recognized for their amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, that is certainly fine with me. I was trying to

follow the direction I got from the chairman and the floor manager when we talked a few minutes ago. But if she wants to pursue this and proceed as she has suggested, I have no objection, and I withdraw my unanimous consent request.

The PRESIDING OFFICER. Does the Senator from Hawaii seek recognition? The Senator from North Dakota.

Mr. CONRAD. Mr. President, might I now call up my amendment?

The PRESIDING OFFICER. Without objection, the Senator may offer his amendment.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself, Mr. COLEMAN, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. HAGEL, Mr. JOHNSON, Mr. THUNE, Mr. DORGAN, Mr. ENZI, Mr. BAUCUS, Mr. REID, Mrs. CLINTON, Mr. OBAMA, Mr. DURBIN, Mr. LEAHY, Mr. HARKIN, Ms. CANTWELL, Mr. BURNS, Mr. SCHUMER, Mr. ROBERTS, Mr. DAYTON, Mr. INOUE, and Mr. AKAKA, proposes amendment numbered 5144.

Mr. CONRAD. I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. CONRAD. I thank the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order be Senator AKAKA for 10 minutes, Senator GREGG for 10 minutes, after which the amendment would be set aside and Senator COLLINS would be recognized for the Collins-Feingold amendment.

Mr. CONRAD. Reserving the right to object, I would like to be included in that order so that I may be able to respond to whatever the Senator from New Hampshire might say.

Mrs. HUTCHISON. Mr. President, after Senator GREGG, I amend my request to include up to 5 minutes for Senator CONRAD, after which Senator COLLINS would be recognized.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I thank my colleague very much for the opportunity to speak at this time. I rise today in support of Senator KENT CONRAD's amendment. I thank Senator CONRAD for his leadership and agreeing to include a provision on behalf of the senior Senator from Hawaii, DAN INOUE, and myself to H.R. 5385, the Fiscal Year 2007 Military Construction and Veterans Affairs and Related Agencies Appropriations Act.

Mr. President, I was in Hawaii on October 15, 2006, when we felt a violent tremor, an earthquake measuring 6.7 in magnitude that rocked the Hawaiian Islands, and it set off a series of aftershocks for days afterward.

The earthquake loosened rocks, dirt, and building foundations, and subsequent heavy rains have continued to

undermine the structural integrity of public utilities, buildings, roads, and related infrastructure. In recognition of these damages, President Bush on October 17, 2006, declared the State as a major disaster area. While this declaration enabled some relief from the Federal Emergency Management Agency, FEMA, a significant amount of damage remains unaddressed.

The farming community was hit particularly hard by the earthquake. The water intakes for the Lower and Upper Hamakua Ditches and the Kohala Ditch on the Big Island were buried by landslides. The earthquake and the many aftershocks also caused the collapse of earthen tunnels and wooden flumes and cracks in dams. These irrigation systems provide the sole source of water for most farmers and other members of rural communities in the region. The Big Island also suffered a collapsed lane on the Hawaii Belt Road on the Hamakua Coast, north of Hilo town.

The provision would add \$21 million to address the agriculture damages caused by the October 15th earthquake:

\$12 million to the Natural Resources Conservation Service, NRCS, Emergency Watershed Protection Program for the repair of the Lower Hamakua Ditch and the Waimea Irrigation System/Upper Hamakua Ditch—which were heavily damaged by the earthquake, and are negatively impacting the farming community on the Big Island; \$3 million to the Big Island Resource Conservation and Development Council to repair of the Kohala Ditch system that was also severely damaged by the earthquake; \$6 million to the Farm Service Agency, FSA, for its Emergency Conservation Program to repair broken irrigation pipelines and damaged and collapsed water tanks. Of this amount, \$2 million will go towards repairing the damages to stone fences on cattle ranches in the Kona and Kohala areas, and another \$2 million is needed under the Emergency Loan Program to cover losses of agricultural income.

Mr. President, last week I met with Big Island farmers and ranchers whose livelihoods have been dramatically impacted by the October earthquake. They need water for their farms or they risk losing cattle and crops. The damage done to Hawaii's irrigation systems is too severe to be repaired by the State alone. I promised that I would not abandon these hard-working individuals.

I ask my colleagues to support Senator CONRAD's amendment, which would also help Hawaii's farmers and ranchers recover from last month's earthquake.

Senator INOUE and I urge our colleagues and ask them for their support. Thank you very much. I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, it is my understanding that I have 10 minutes under the order.

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. Mr. President, there are some things so ironic around here that

you just have to smile. We are just coming off this election—and I congratulate my colleagues on the other side for their success with a significant and dramatic win. But if we listen to the rhetoric from them, and certainly from the pundits who analyzed the election, it was obviously about the war in Iraq, but it was also about fiscal discipline.

I don't know how many times I have read from national pundits, from the Washington Post and the New York Times, how the Democratic Party is now the party of fiscal discipline. Yet the first amendment brought to the floor of this Senate—the first amendment—increases the national debt by \$4.9 billion. It exceeds the budget by \$4.9 billion and claims it is an emergency, on an issue which has already been addressed by this Senate, I think, two, maybe three times, and rejected.

Well, maybe the folks out there who voted and thought they were voting for fiscal discipline when they voted to bring in the other party should take a look at this amendment and ask: Where did this come from? Is this a bill of goods I just got sold?

The first amendment brought up by the other side of the aisle after they win this significant, important, dramatic victory is to ask for \$4.9 billion above the budget, throw it on the debt, increase spending. It is, as I said, ironic. It makes you wonder. I wonder where we are headed under this new regime. There is something called a regular appropriations process. In fact, it is very likely that we will get to an agriculture bill, an appropriations bill before we adjourn this session, euphemistically referred to as a lame-duck session. When that bill comes up, if it is the belief, contention, and argument of those in the farm communities who have been affected by what they feel is a bad crop-year—if they believe they need additional funds, that bill will have the opportunity to shift funds around, move funds to those accounts that are needed, and which need additional funding, within the context of the budget, within the limitations of the budget. That is called regular order. But this is not regular order. This is a daytime robbery of the Treasury, a heist, in open daylight, and I give them credit for that.

There is nothing secretive about this. This is just saying we have the votes, so we are going to come to the floor and spend \$4.9 billion and add it to the Federal debt and call it an emergency. It is going to stuff the budget. It is not good policy. It is not good fiscal policy. It clearly, in my humble opinion—I may have misread the election. I wasn't up for reelection, but I have certainly read a lot about it, and I participated on the stump enough.

I think it sells the people of this country who voted in the election a bill of goods they didn't think they were buying—in fact, just the opposite. I understand there are some folks on my side of the aisle who also feel com-

pelled to vote for this amendment. I regret that, too, obviously. I hope they will reconsider. In any event, it is an amendment that violates the budget. It is, therefore, subject to a 60-vote point of order. We have 60-vote points of order here in order to try to maintain some semblance of fiscal discipline. This will be our first exercise in trying to maintain that semblance of fiscal discipline in what you might call the new congressional year. It will be a good test for us as a Senate for my colleagues on the other side who are about to become the majority party, and for us on this side, who will become the honorable minority. It will be a good test for us to see if we have the courage to actually initiate fiscal discipline in this new Congress. The opportunity is there. All we need is 41 votes.

Mr. President, 59 people can vote for their constituencies, vote to raise spending, raise the debt, vote to increase spending outside the budget. It will be a good test to see whether there are 41 people here who took the message away from the election that the pundits have told us is the message, that the national Democratic Party told us is the message, and that some of our own folks on our side told us is the message, which is that they expect the Congress to start living within its budgets. It will be a good test of whether at least the working minority heard that message.

At this point, I will make a point of order.

Mr. President, pursuant to the fiscal year 2006 budget resolution, I raise a point of order against the emergency designation in the pending amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have listened to my colleague with great interest. He is the chairman of the Budget Committee, someone with whom I work closely and have respect for and affection for. But he has talked about this violating the budget. There is no budget. No budget has been passed. My colleagues have been in control, and we have not passed a budget. Let's be square about this. There is no budget.

No. 2, this is not the new Congress; this is a continuation of the old Congress. The old Congress didn't get the job done. Let's be straight about that.

No. 3, the Senator said this has been defeated in the past in the Senate. Wrong. This has passed the Senate. This passed the Senate with 77 votes. It wasn't defeated; it was passed with 77 votes on a bipartisan basis. The package that passed was more generous than this package because the White House raised objection to that package. The White House said it was too much money. The White House said they did not want the direct payments as an offset to the skyrocketing energy prices, so we took those provisions out and saved \$1.8 billion. That is the package that is before this body. It is the package that has passed. In fact, in the appropriations process, it passed several

times. In fact, it is waiting in the Agriculture appropriations bill right now.

Unfortunately, that bill, we are told, is not going to be considered. So the only opportunity we have to address the emergency disaster concerns of people all across this country is with this amendment, make no mistake. This amendment is fully bipartisan. We now have 20 cosponsors.

This is an emergency. So pursuant to section 402 of H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2006, I move to waive section 402 of that concurrent resolution for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I must respond briefly to the Senator from North Dakota, whom I also greatly admire and with whom I have enjoyed working. He has always been a responsible and effective Member of this Senate, to say the least.

Let me make the point; he said there is no budget. There is no grand budget, that is true, but there is a budget. That is why he had to waive the Budget Act in order to get to this point. It is a function of the fact that we put in place, as those who follow the arcane nature of this institution know, a set of 302 allocations which are guiding how much money can be spent in the Senate, and that is essentially the budget. It is a pretty aggressive mechanism to put in place. Innumerable budget points of order have been brought under that, some sustained, some not sustained.

As to this amendment, this amendment did fail. It failed on an issue of germaneness. So there is a history here. But more importantly, the essence of the problem of this amendment is it busts the budget. It adds \$4.9 billion to the debt. And I would argue that maybe the Senator from North Dakota doesn't feel he is in the new structure, but I believe most people think, in this post-election environment, where the election was so dramatic, that Congress shouldn't be functioning under the old rules of just breaking the budget; we should be living under the discipline, and we are not. That is my point.

If the American people's intent—and I think it was—was to send a message to us as the keepers of their pocketbooks, we are, in my opinion, not living up to that request when the first amendment brought to the floor of the Senate after this election is an amendment to increase spending by \$4.9 billion above the budget and add that money to the debt. It is not good policy.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this doesn't bust the budget. No, no, no. We

have always handled natural disasters in this way, with an emergency designation. That is the rule, that is the precedent, that is what we have done before, and that is what we should do now. This is not breaking the budget. That is just not the case. The Senator knows it is not the case.

This is a circumstance, as we have dealt with every natural disaster in the past: We make a determination whether an emergency exists. Clearly it does. We have been struck by the third worst drought in our Nation's history. This provision passed this body with 77 votes.

The people who are out there expect the Congress, expect the Senate to respond to the needs of the American people. We have a need for security. We have a need, an absolute need, for a return to fiscal responsibility. We also have a need to deal with natural disasters when they strike the American family. This is a set of disasters almost unprecedented in our history. The people who have been hit by them deserve a response. That is what this amendment seeks to do.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. KYL). The Senator has a minute and a half remaining.

Mr. CONRAD. Does the Senator from New Hampshire want to continue?

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, parliamentary inquiry: It has come to my attention that this language is not only increasing the appropriations, it may also have authorizing language in it. Is this amendment subject to rule XVI?

The PRESIDING OFFICER. This amendment does constitute legislation on an appropriations bill.

Mr. GREGG. I wish to speak to the other side. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we recognize the Senator would be within his rights to make a motion under rule XVI. I say to the Senator, we hope he will not do that. We hope we will have a chance for a vote on the Senate floor on this question. I say to my colleagues, if we don't get a vote now, we are not going to stop until we do get a vote.

I say to my colleague, it is certainly reasonable to bring a challenge under the Budget Act and to require a supermajority vote, but I hope very much that the Senator will not use rule XVI on a matter of this importance to so many people across the country. I implore the Senator not to invoke rule XVI.

Mrs. HUTCHISON. 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.

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.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the amendment be laid aside.

The PRESIDING OFFICER. Without objection, the amendment is laid aside.

The Senator from Maine is recognized.

AMENDMENT NO. 5123

Ms. COLLINS. Mr. President, on behalf of myself and Senator FEINGOLD, I call up amendment No. 5123 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself, Mr. FEINGOLD, Mr. LIEBERMAN, Mr. LEAHY, Ms. CANTWELL, Mr. COLEMAN, Mr. COBURN, Mr. KERRY, Mr. SALAZAR, Mr. SUNUNU, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. WYDEN, Mr. BIDEN, Mr. LEVIN, Mr. BYRD, Mr. SCHUMER, Mr. WARNER, Ms. SNOWE, Mr. MCCAIN, Mr. NELSON of Florida, and Mr. GREGG, proposes an amendment numbered 5123.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend the Office of the Inspector General for Iraq until 80 percent of the funds appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund has been expended)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Section 3001(o) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), is amended to read as follows:

“(o) TERMINATION.—(1)(A) The Office of the Inspector General shall terminate 10 months after 80 percent of the funds appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund have been expended.

“(B) For purposes of calculating the termination of the Office of the Inspector General under this subsection, any United States funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, irrespective of the designation of such funds, shall be deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.

“(2) The Special Inspector General for Iraq Reconstruction shall, prior to the termination of the Office of the Special Inspector General under paragraph (1), prepare a final forensic audit report on all funds deemed to be amounts appropriated or otherwise made available to the Iraq Relief and Reconstruction Fund.”

Ms. COLLINS. Mr. President, I ask unanimous consent that Senators JOHN MCCAIN, BILL NELSON, and JUDD GREGG be added as cosponsors to the amendment.

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

Ms. COLLINS. Mr. President, this amendment, which the Senator from Wisconsin and I have offered, would ensure continuing vigorous, aggressive oversight of American tax dollars in Iraq by repealing the premature termination date for the Office of the Special Inspector General for Iraq Reconstruction. This office will be prematurely terminated by provisions that were recently enacted as part of the conference report on the Defense authorization bill. Our amendment will restore the special IG's termination date to its previous schedule of 10 months after 80 percent of the funds for the Iraqi reconstruction projects have been expended.

The special IG has been very effective, and the important work of this watchdog must continue as long as American funds are being used for Iraq reconstruction. We should not terminate this mandate to prevent waste, fraud, and abuse by some arbitrary and premature date. In fact, it is inconceivable to me that we would terminate this office which has played such a vital role in spotlighting waste, fraud, and abuse and has more than proven its worth.

The Office of the Special Inspector General has saved the American taxpayers literally millions of dollars. In fact, when one looks at the combined impact of the audits, the investigations, the cost avoidances, and other savings, the potential financial impact of this office has been nearly \$2 billion. Yet the office has cost the American taxpayers only \$73 million since it was created. So \$2 billion in savings, in cost avoidances, versus a cost of only \$73 million. This means that for every dollar the special inspector general has spent, there has been a financial impact of \$25—an impressive ratio.

There is no question that the inspector general's office has been extremely effective. Its work has led to convictions, to indictments, to the recovery of funds, and to improvement in contracting. It was the inspector general who told us about cost overruns on contracts—Halliburton contracts, for example. It was the inspector general who highlighted shoddy construction of health clinics, of a special police station. It was the inspector general who made recommendations that have improved contracting oversight and procedures in Iraq.

We are talking about billions and billions of dollars. It makes absolutely no sense at all for this office, which has been such an effective watchdog, to be brought to a premature end.

Some people say: Why can't you just have the regular IG from the Department of Defense or the Department of State or USAID undertake this work? I think in many ways the question answers itself. There are many departments and agencies that are involved in the Iraqi reconstruction projects. We need to have a special IG who has the authority to follow the money no matter from what agency or department it

originated. Also, the special IG has proven its worth time and again. The special IG is in Iraq even as we speak and has had a team on the ground in harm's way. Also, the DOD IG's office has not had a team on the ground in Iraq auditing, inspecting, and investigating on an ongoing basis.

I am very pleased to join with the Senator from Wisconsin who has been such a leader in this area, who originated the idea of having a special inspector general in the first place, and I was very pleased to partner with him in that effort years ago.

Let's correct this mistake right off so that the office doesn't have to start shutting down its operations in anticipation of the termination date next October. We can remedy this mistake right now, and we should do so.

I thank the Chair.

Mr. LEAHY. Mr. President, I am pleased to be a cosponsor of amendment 5123 offered by Senators COLLINS and FEINGOLD. This bipartisan amendment would extend the life of the Office of the Special Inspector General for Iraq Reconstruction, SIGIR, and restore the bipartisan agreement made regarding the termination of the SIGIR in the Senate-passed fiscal year 2007 Defense authorization bill.

The Collins-Feingold amendment is necessary to undo the damage of a veiled provision inserted in the fiscal year 2007 Defense authorization conference report by the chairman of the House Armed Services Committee that terminates the SIGIR by an artificial date that has no basis in the progress of reconstruction projects.

This amendment will sustain the valuable work of the special IG to monitor, audit, and inspect funds made available for assistance for Iraq in both the Iraq Relief and Reconstruction Fund and in other important accounts, which totals nearly \$32 billion.

The amendment will restore the formula for calculating the SIGIR's termination to 10 months after 80 percent of the funds appropriated for Iraq reconstruction have been expended. While I strongly support this amendment, I believe the SIGIR's authority should extend as long as necessary to ensure that the billions of dollars appropriated for Iraq's reconstruction be granted adequate oversight.

It is important that the special IG auditors continue their work as long as taxpayer funds are being spent on reconstruction efforts. Thus aspects of this amendment—including the 80 percent expended trigger and the exclusion of future Iraq reconstruction appropriations will need to be revisited in the coming months. I intend to work with other Senators to ensure that all future Iraq reconstruction funds are subject to the continued oversight of the SIGIR.

Wasteful spending and profiteering are especially offensive in wartime, and our soldiers and the American people deserve more oversight of how their tax dollars are being spent in Iraq, not less oversight.

The special inspector general's work to date has been enormously valuable to the executive branch, to Congress, and to American taxpayers. The SIGIR has completed more than 55 audit reports, issued more than 165 recommendations, and seized more than \$13 million in assets. What the SIGIR has uncovered proves the need for the work of this office to continue.

The SIGIR's investigations have sent American reconstruction officials to jail on bribery and conspiracy charges, exposed numerous instances of colossal mismanagement in construction projects, and uncovered case after case of waste, fraud, and abuse at the taxpayers' expense. In fewer than 3 years, the special IG's operations have resulted in savings to the U.S. Government and the taxpayers of more than \$24 million and uncovered considerable wasteful or fraudulent spending.

The Collins-Feingold amendment will abolish the artificial and arbitrary termination date inserted by one Member of the other body and extend the SIGIR's charter with the recognition that the office has performed crucial work, with much more remaining to be done.

I appreciate the work of Senators COLLINS and FEINGOLD in offering this commonsense amendment and urge its adoption by the Senate.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the Senator from Maine has been a wonderful leader on this issue. It is always a pleasure to work with her. I am also pleased to be working with Senator LIEBERMAN and a number of other distinguished Members on this effort as well. It is truly the kind of bipartisan work not only the American people have called for with these elections but the American people deserve, and I hope it is a sign of things to come.

As Senator COLLINS noted, this is an important bill. I have worked hard with a few of my colleagues to create the SIGIR several years ago and I am very proud of what we have accomplished.

To go back to how this started, this is all the way back to October 2003. We all remember the famous \$87 billion bill that became famous for other reasons. But included in the bill was the creation of the original inspector general as a part of the Coalition Provisional Authority. I was pleased we got it in there, but I obviously wasn't certain it would work out and that it would be done well, but in fact that is exactly what happened. Regardless of your view of the wisdom of the Iraq war, we were able to come together and say: In any event, the taxpayers' dollars for reconstruction should be monitored and evaluated; there should be accountability.

Well, thanks to the appointment of Stuart Bowen, who is the inspector general, that is exactly what has happened. The agency has worked extremely well. As Senator COLLINS indicated, they go out into the field in Iraq

in a way that other agencies have not done to do very effective reports.

Now, these reports are troubling, many of them. They indicate things aren't working well in a lot of places and a whole lot of money has to be spent on security rather than on reconstruction. Nonetheless, they are doing the taxpayers a service. We have run into a problem because the Iraq war, of course, has been far less successful than people expected, and this whole situation has continued much longer than was originally anticipated. So not only did we create it in October 2003, I had offered an amendment in June 2004 to extend it, and then again in 2005 with the help of Senator COLLINS and then again this year in 2006. And unfortunately, after we had agreed to extend it because not all of the dollars had been expended, a provision was added in the House in conference that basically cuts this off artificially. It goes against the whole assumption, which is that this agency should continue to do its work until 80 percent—10 months after 80 percent of the funds have been expended. That is the formula. We now estimate that work cannot be done until approximately the end of 2009, given how long it is going to take to expend this money. To cut this off prematurely in October of 2007 is to simply undo the good work of this agency.

So I am pleased Senator COLLINS and I were able to add an amendment to the recent Defense authorization bill that expanded oversight authority. We actually expanded its jurisdiction so it could monitor and audit United States taxpayers' dollars being used for Iraq reconstruction regardless of the type of account. So that actually involves another \$11 billion in accounts that need to be evaluated and the taxpayers are going to get what they deserve. This is the problem with the provision that cuts this off prematurely. This is no time to terminate the office that has done so much to protect taxpayer dollars in Iraq. Our work on the Defense authorization bill provided the Senate with an estimated additional \$11 billion in oversight responsibility and that makes SIGIR's total oversight responsibility approximately \$32 billion.

Now, for people listening, what kind of money is \$32 billion? I understand that roughly the entire foreign aid that we give to all of the countries in the world in one year is only \$20 billion. This is \$32 billion, just for reconstruction in Iraq. Surely there needs to be accountability for this, and we need to give this important office the time to do its work and to make sure the money isn't subject to waste, fraud, or abuse.

I am delighted we are working together, Senator COLLINS and I and others, and I do hope we can simply reverse this unfortunate error in the House version of the conference report and that we can restore this office to its full form.

I yield the floor.

Ms. COLLINS. Mr. President, I again want to commend the Senator from

Wisconsin for his leadership on this issue. It has been a great pleasure to work with him. I mentioned we have 24 cosponsors of the amendment. I did want to acknowledge that Senator LIEBERMAN and Senator COLEMAN have played important roles in drafting this bill, and both the chairman and the ranking minority member of the Senate Armed Services Committee, Senator WARNER and Senator LEVIN, are cosponsors as well.

Finally, I want to thank the two floor managers, Senator HUTCHISON and Senator FEINSTEIN, for working with us on this bill. Senator FEINSTEIN is also a cosponsor of it, and I very much appreciate Senator HUTCHISON assisting us to bring this to the floor. So I say thank you to my colleagues.

Mr. President, if there is no further debate on the amendment, I ask that the amendment be brought to a voice vote.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No. 5123) was agreed to.

Mr. FEINGOLD. Mr. President, I move to reconsider the vote.

Ms. COLLINS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5144

Mr. CONRAD. Mr. President, I have been advised that the other side may intend to raise rule XVI against my amendment. I would ask them before they make that judgment, it would be entirely in order for me to offer my amendment to the Vietnam PNTR legislation. And if we are going to get treated this way, then I reserve my right to offer the amendment on the Vietnam PNTR. That will assure that the Vietnam PNTR will not get done during this week. So if others are going to treat us that way, they should be prepared for me to play hardball, too.

I have been very patient. I have operated under the regular rules repeatedly. But if others are going to give us short shrift, if they are going to tell the farmers and the ranchers who have suffered disaster that they don't even get a vote, then I am prepared to play hardball, too.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Conrad amendment.

Mr. SANTORUM. My understanding is that this amendment, as the Senator from North Dakota just talked about, is an amendment dealing with agriculture. This is a military construction bill that is before us. The Senator from North Dakota said we might want to raise a germaneness question, which is rule XVI, and that would be treating the Senator from North Dakota and

others who support this legislation improperly. I would make the point that the reason rule XVI is there is to make sure we don't have amendments that are offered to appropriations bills that are not germane. I think it is a great stretch to suggest an emergency supplemental for agriculture is germane to military construction. That is not treating my colleague any way other than how every other colleague is treated here on a whole variety of different issues.

There are lots of opportunities we all would love to have to offer amendments to appropriations bills we don't take because it is not germane, and we don't do it as a result of that. That is the way in which the Senate operates under some semblance of order. It doesn't necessarily operate as seamlessly as we would like, but this is one of the rules we have kept intact and used because we want to try to keep to the subject at hand, particularly on the issue of appropriations.

So throw on top of that what I can tell you in my State and in lots of other States and in lots of other races around the country is the cry of deficit spending, which was heard loudly and clearly and echoed, by the way, by both sides of the aisle, of how we were going to have much more fiscal responsibility, and here we are with the first amendment with nearly \$5 billion in emergency spending on a military construction bill having nothing to do with military construction. It may be bipartisan but, as far as I am concerned, that is no excuse. This is not what I think the message from the electorate was, that we need to have a whole bunch of new spending non-germane to the matter at hand.

So while I understand the need—and we have farmers in my State who have suffered through floods earlier this year and I am sure will be impacted by this, but it is absolutely essential that we take this issue seriously, and I intend to do that.

So at this point I am going to suspend and ask for a quorum call and I will be back in a minute. 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. SANTORUM. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SANTORUM. Mr. President, I understand the Chair has reviewed the amendment, amendment No. 5144, and I now raise a point of order against the amendment. But first, before I do that, I understand the Chair is currently reviewing this amendment, so I am going to suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mrs. HUTCHISON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

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

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

Mr. CONRAD. Mr. President, I thank the Chair. I thank my colleagues.

Let me be very clear. Senators have a right to invoke rule XVI. But let's be clear. This is how emergency disasters have been dealt with year after year after year in this body. What I am seeking to do is to get a vote. The farmers and ranchers of this country deserve a vote. Now, they can deny the vote, at least temporarily, but if they think that is the end of the story, they are wrong. We are going to be back. And, look: If my colleagues are going to invoke rule XVI on this measure, when the underlying legislation has passed this body with 77 votes, and by that device prevent a vote, then things are going to get very tough around here. I know the rules of the Senate. If Members think they can ramrod things and deny farmers and ranchers in this country a vote on desperately needed disaster assistance, then this Senate is going to slow way down. My colleagues can use their rights and I will use mine. Let there be no doubt about what the result will be. This place is going to have a hard time functioning if there is not comity, if there is not fairness, and if people are denied a vote repeatedly. That is what is occurring.

The precedent is clear in this Senate. Virtually every disaster package has been legislation on an appropriations bill. Rule XVI was not invoked because it was recognized that is one of the few ways to achieve the result.

The Senator has the right to invoke rule XVI. This Senator has a right to object to unanimous consent agreements, to put the legislation on Vietnam PNTR, and to move to seek a vote. It is only fair the farmers and ranchers of this country, who have been devastated, get a vote. Let the Members vote. That is what the people were saying in this election. They want a process that is fair and that gets results for the American people.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent this amendment be set aside until we have the withdrawal of the previous motion.

Mr. CONRAD. I object.

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

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

Mr. SPECTER. Mr. President, I note that the majority leader is on the Senate floor. I am prepared to speak for just about 5 minutes, if that is acceptable. I thank the majority leader, and I thank the Senator from North Dakota.

THE PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair. (The remarks of Mr. SPECTER and Mrs. FEINSTEIN pertaining to the introduction of S. 4051 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 1 Leg.]

Akaka	Dorgan	Menendez
Alexander	Durbin	Mikulski
Allard	Ensign	Murkowski
Allen	Enzi	Murray
Baucus	Feingold	Nelson, Florida
Bayh	Feinstein	Nelson, Nebraska
Bennett	Frist	Obama
Bingaman	Graham	Pryor
Bond	Grassley	Reed, Rhode
Boxer	Gregg	Island
Brownback	Hagel	Reid, Nevada
Bunning	Harkin	Roberts
Burns	Hatch	Rockefeller
Burr	Hutchison	Salazar
Byrd	Inhofe	Santorum
Cantwell	Inouye	Sarbanes
Carper	Isakson	Schumer
Chambliss	Jeffords	Sessions
Clinton	Johnson	Shelby
Coburn	Kerry	Smith
Cochran	Kohl	Snowe
Coleman	Kyl	Specter
Collins	Landriau	Stabenow
Conrad	Lautenberg	Stevens
Cornyn	Leahy	Sununu
Craig	Levin	Talent
Crapo	Lieberman	Thune
Dayton	Lincoln	Vitter
DeMint	Lott	Voinovich
DeWine	Lugar	Warner
Dodd	Martinez	Wyden
Dole	McCain	
Domenici	McConnell	

The PRESIDING OFFICER (Mr. ISAKSON). A quorum is not present.

Mr. FRIST. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion of the Senator from Tennessee. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Rhode Island, (Mr. CHAFEE) and the Senator from Wyoming (Mr. THOMAS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

The PRESIDING OFFICER (Mr. CHAMBLISS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 1, as follows:

[Rollcall Vote No. 264 Leg.]

YEAS—95

Akaka	Dorgan	McConnell
Alexander	Durbin	Menendez
Allard	Ensign	Mikulski
Baucus	Enzi	Murkowski
Bayh	Feingold	Murray
Bennett	Feinstein	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Obama
Boxer	Grassley	Pryor
Brownback	Gregg	Reed
Bunning	Hagel	Reid
Burns	Harkin	Roberts
Burr	Hatch	Rockefeller
Byrd	Hutchison	Salazar
Cantwell	Inhofe	Santorum
Carper	Inouye	Sarbanes
Chambliss	Isakson	Schumer
Clinton	Jeffords	Sessions
Coburn	Johnson	Shelby
Cochran	Kerry	Smith
Coleman	Kohl	Snowe
Collins	Kyl	Specter
Conrad	Landriau	Stabenow
Cornyn	Lautenberg	Stevens
Craig	Leahy	Sununu
Crapo	Levin	Talent
Dayton	Lieberman	Thune
DeMint	Lincoln	Vitter
DeWine	Lott	Voinovich
Dodd	Lugar	Warner
Dole	Martinez	Wyden
Domenici	McCain	

NAYS—1

Allen
NOT VOTING—4

Biden
Chafee
Kennedy
Thomas

The motion was agreed to.

Mr. FRIST. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FRIST. 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.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

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

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

Mr. KERRY. Mr. President, I ask unanimous consent that amendment No. 5142 to the Military Construction-Veteran Affairs bill be called up.

The PRESIDING OFFICER. Is there objection?

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], for himself, Mr. KENNEDY, Mr. AKAKA, Mrs. BOXER, and Mr. JEFFORDS, proposes an amendment numbered 5142.

Mr. KERRY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make available \$18,000,000 for the provision of additional mental health services through Vet Centers to veterans who served in combat in Iraq or Afghanistan.)

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title, up to \$18,000,000 may be available for necessary expenses, including salaries and expenses, for the provision of additional mental health services through centers for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code (commonly referred to as "Vet Centers"), to veterans who served in combat in Iraq or Afghanistan.

Mr. KERRY. Mr. President, I will be very brief. I thank the managers of the bill for accepting this amendment. I do this as Senator KENNEDY's cosponsor, along with Senators AKAKA, BOXER, and JEFFORDS.

What we have found is that all of the vet centers around the country are enormously overburdened in trying to be able to take care of returning Iraq and Afghanistan veterans, particularly those with PTSD mental health issues. The staffing, unfortunately, is not up to what it needs to be. Demand has doubled. So we have an obligation, which I think everybody accepts, to try to make certain we do what is necessary for those who have served as they return.

This amendment would add money that is offset; it comes out of the fund within the bill itself. I am grateful to both Senators FEINSTEIN and HUTCHISON for their willingness to accept it. This will provide quality care in our vet centers. We had a study in the Veterans' Affairs Committee in the House which found that the number of returning veterans requesting services has doubled.

One in four vet centers that have been surveyed around the country have been forced to actually limit services or establish waiting lists for critically needed services. So I think this will help us meet a need, and I am grateful for my colleagues being willing to accept it.

It is our obligation to do everything possible to ensure that veterans returning from Iraq and Afghanistan can make the transition home successfully.

"Welcome home" must be more than something we say to our veterans. It must be measured in actions taken, not just words spoken.

Today, I am offering an amendment to increase funding for the VA vet centers to provide critically needed services to our returning veterans.

The VA vet centers provide readjustment counseling and outreach services to all veterans who served in any combat zone. Our veterans earned these benefits through their service to country, and we must fulfill Nation's commitment to them by providing the highest quality services possible. Unfortunately, a recent report reveals that VA vet centers need additional funding in order to provide the trained professionals necessary to offer quality mental health services.

The vet center program was established to assist Vietnam-era veterans who were experiencing readjustment problems. In 1991, Congress extended the eligibility to veterans who served during other periods of armed hostilities after the Vietnam era. The goal of the centers is to provide a broad range of counseling, outreach and referral services to help veterans successfully readjust to civilian life. Services include individual counseling, group counseling, marital and family counseling, bereavement counseling, medical referrals, assistance in applying for VA benefits, and employment counseling.

A recent report by the House Veterans Affairs Committee Democratic staff found that in 9 months, between October 2005 and June 2006, the number of returning veterans from Iraq and Afghanistan who turned to vet centers for post traumatic stress disorder services doubled.

The increased demand for services is beginning to affect access to quality care. In fact, one in four vet centers surveyed has been forced to limit services or establish waiting lists for critically needed services. After serving this Nation and fighting for our country, our veterans should not have to fight for critical adjustment services.

In November of 2004, VA Secretary Nicholson approved a mental health strategic plan, acknowledging gaps in mental health services due to the surge in demand from veterans of combat in Iraq and Afghanistan. Congress provided approximately \$100 million to fund the VA mental health strategic plan. However, a recent GAO report shows that the VA has diverted or failed to utilize money that was intended for staffing at vet centers and has not provided a full accounting of what has happened to the funding. The GAO is expected to issue a full report on these funding gaps later this year, but the preliminary results indicate a possible misuse of mental health dollars.

One-third of the veterans coming home from Iraq and Afghanistan come to the VA with mental health concerns. We have seen the cases of PTSD rise sharply along with the need for readjustment care when veterans return home. It is imperative that our vet centers have enough trained professionals to offer quality mental health services. There are 207 vet centers across the country. They are currently unable to deal with the increasing demand for mental health services. Each of these centers needs additional funding to hire sufficient staff to deal with the recent influx of patients. y

John Rowan, National President of Vietnam Veterans of America, recently said, "The resources are not there in the VA Vet Centers." Mr. Rowan went on to say that "Not only is the mental health and well-being of veterans being placed at risk, the Vet Centers themselves are at risk. Because of significantly increased work loads, some cen-

ters have introduced waiting lists. Accommodating the ever-increasing demand for readjustment counseling is taking a heavy toll on already overworked staff." We need to do more to help our veterans.

My amendment would provide \$18 million to hire additional mental health staff at VA vet centers. This amount was recommended by the Vietnam Veterans of America to allow the VA to hire the appropriate staff needed to deal with the influx of veterans who need help. The Vietnam Veterans of America and the National Military Family Association support my amendment.

Our soldiers have sacrificed greatly for their country, and we owe them the best care when they return. Many wounds of war are not visible, which makes it that much more important that vet centers have all the resources they need to serve those veterans who are suffering in any way. I ask all my colleagues to support this amendment to provide appropriate funding to staff our vet centers.

Mr. KENNEDY. Mr. President, last Saturday, all across the country, we honored our Nation's veterans, and we renewed our commitment to care for them, in the way Abraham Lincoln advised us in his Second Inaugural Address: "to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan."

From the very beginning of America, brave men and women have sacrificed their lives or suffered wounds while serving our country. We owe each of them a debt of gratitude that we can never truly repay, and we must honor them and support them whenever we can.

In doing so, we must take great care to remember that not all wounds are visible and that, when we call upon our best and brightest, we often send their precious minds, as well as their bodies, into harm's way. The continuing current missions in Iraq and Afghanistan have been especially demanding of, and damaging to, our troops.

A recent study published in the Journal of the American Medical Association and conducted by a medical research team at the Walter Reed Army Institute of Research surveyed soldiers and Marines returning from Iraq, Afghanistan, and other locations yielded disturbing results. According to the survey, post-traumatic stress disorder, major depression, substance abuse, or other mental health disorders may afflict nearly 1 in 5 service members returning from Iraq and more than 1 in ten returning from Afghanistan.

The Veterans Health Administration estimates that a large percentage of the veterans of Iraq or Afghanistan who have sought VA care have exhibited symptoms of one or more mental disorders and have sought treatment from veterans centers. Last month, the Washington Post reported that, as of the end of June, the VA treated a third

of the more than 184,000 veterans of Afghanistan and Iraq for these symptoms. Nearly half of those treated were diagnosed as possible victims of post-traumatic stress disorder.

According to the Post, the VA's estimate represents a tenfold increase in the number of cases treated in only 18 months, and the number is likely to increase as our forces continue to serve multiple tours of duty in hostile areas. The number may be further increased by ongoing medical outreach programs conducted by the military to increase service members' awareness of the indications and implications of the types of psychological trauma associated with combat deployments.

As their awareness grows, many more veterans will likely seek mental health treatment, and veterans groups are deeply concerned that the VA is already straining to meet the increased demand. All too frequently we read reports of reduced services, staff shortages, and long waits for minimal or intermittent care.

In August, the Washington Post reported the example of a veteran of Iraq who receives only 30 minutes of treatment a month for post-traumatic stress disorder. In October, the Post reported that another veteran of Iraq was told he would have to wait 2½ months for an appointment at a VA facility to treat his sleep disorder.

We need to be sure that our veterans receive the care they deserve, and that the VA has the capacity to provide adequately specialized services to every veteran who needs counseling or treatment. We can't allow the heavy demands of our commitments overseas to impair the quality of assistance that our veterans actually receive. The more we ask of our brave men and women, the more we must provide them in return.

The Kerry amendment will help the Veterans' Administration to better address the surge in mental health needs of our veterans and help to provide a higher standard of medical care to them in a more productive and efficient manner. I urge my colleagues to support the amendment.

Our veterans need and deserve this support. We owe them nothing less in light of the intense dangers and stresses they have faced and endured so courageously.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I am looking for the chairman on this bill. I know she has no objections. I request a voice vote on the amendment.

The PRESIDING OFFICER. Is there objection?

The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment (No. 5142) was agreed to.

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

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

Mr. CONRAD. Mr. President, unfortunately, the Republican leader just left the floor. We were about to be in a position to resolve this matter. I ask the leader's staff to ask the leader to return to the floor so we can resolve this.

Maybe for the interest of my colleagues, I will try to reflect on where we are. I had offered an amendment for disaster aid for farmers and ranchers. The chairman of the Budget Committee, within his rights, raised a budget point of order against my amendment. It was then suggested that rule XVI would be raised as well. We have had, over the last several hours, a series of discussions to find a way to resolve this matter. At this hour, it appears the best way to resolve it is to have a commitment that we would go to the Agriculture Appropriations bill tomorrow and try to do that in a tight timeframe of limited amendments, and that I would have a chance to offer the amendment at that time and other Senators' rights would be reserved, and that I would withdraw my amendment from this bill with the understanding that we would go to the Agriculture Appropriations bill tomorrow. That is what we had tentatively agreed to. I think we just have to have the leader indicate publicly that that is his understanding as well. Then we can break the gridlock here and proceed to finish Military Construction.

While we are waiting, I might indicate how much I appreciate the patience of the chairman and the ranking member of the Military Construction bill and their very constructive efforts to try to find a way out of this. I for one deeply appreciate it. I also very much appreciate the work of both the majority leader, Senator FRIST, who has made his best efforts to try to resolve this matter, and our own leader, Senator REID, for his assistance as well. Certainly a special thanks goes to Senator BENNETT and ranking member Senator KOHL for their constructive efforts and their agreement to go to their bill tomorrow. I also thank Senator DORGAN, my colleague, for his efforts to try to move this matter along.

With that, I yield the floor and hope that we have a chance to hear from the majority leader, so we can start the process to unwind this and reach a conclusion.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, while the Senator who was talking is still on the floor, let me say if a unanimous consent request is propounded that is consistent with what he has said, I would have to object. I want to make sure everybody knows this.

We have a bill, Energy and Water, authored by this Senator and Senator

REID, soon to be majority leader. It is our bill, Energy and Water. We want to make sure that during these operative days we are going to get some work done and that this bill gets in line to be taken up. We are not asking for any special privileges, but if you are going to propound it the way you have, then I am going to ask that House bill 5427, which is Energy and Water, be put in order behind the Agriculture bill, to be taken up after it. Otherwise, I would object, until we sit down and talk and make sure that H.R. 5427 gets some position in the Senate before we are gone and find no way to take it up. Those in leadership know I have been talking to the leaders and others. So I am not bringing anything up that is brand new. In these times, you don't know what is going to come up. This is the best way to bring it up and nobody can say you didn't bring it up. I am bringing it up to whoever is supposed to have things brought up to them. I hope that is enough. The distinguished leader is here. I wanted to put that in the RECORD so nobody had a misunderstanding.

Mr. CONRAD. Mr. President, I notice the majority leader has returned to the floor. I tried to recount for our colleagues the status of our discussion, and the understanding that we had reached, that I would withdraw my amendment from this bill with the understanding that we would go to the Agriculture Appropriations bill tomorrow and have a chance to offer it there. All Senators' rights would be reserved. That is the status of it. I just ask if that is the majority leader's understanding. If it is, I will then be willing to withdraw my amendment from the Military Construction bill and we can conclude that.

Mr. FRIST. Mr. President, in the last hour or so we have had numerous discussions on the floor, as our colleagues have observed, and many participated in the discussion. My understanding and the general agreement that we have is to go to the Agriculture Appropriations bill tomorrow. That does facilitate the progress we need to make on the current bill that is on the floor, which I hope and expect to be able to finish tonight. If that is the case, we plan on going to the Agriculture bill tomorrow. All rights will be reserved for all Senators, of course. We don't have an agreement, but that is the intention. The disaster ag relief bill is very important and has been talked about by Republicans and Democrats and we expect to debate it tomorrow. It is a more appropriate place for this amendment. So I think this is a good understanding.

Other bills, such as Energy and Water, we want to come to very soon. We have a number of appropriation bills—10 of them—out there. I have not talked to the Democratic leader specifically about the Energy and Water bill. I am not sure if the chairman has, but it is a bill that I hope we will be able to go to quickly, as well.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, might I say to the distinguished leader, if it is being asked of the Senate that we concur by unanimous consent that the arrangement to bring up Agriculture in the method and manner described, if that is going to be a UC, then I have to object because I want to be treated fairly on a comparable bill.

If nothing else other than a simple sentence is added that says when the Agriculture bill is completed that the next bill to be taken up would be H.R. 5427, the Energy and Water appropriations bill, if that is part of the UC, I have no objection.

Mr. FRIST. I don't think there is a formal UC on the floor, but I have to object to that only because as leader, I am going to have every chairman coming out putting bills in order. I want to be able to keep that flexibility a bit, just as we have today, because if we don't reach some sort of agreement working together, we are not going to finish even the first MILCON bill on the floor of the Senate.

What I can say is what I intend to do tomorrow—again without any UC; I guess we can write up something—is complete this bill that is on the floor tonight and then tomorrow go to the Agriculture bill, finish that bill, and then very high on the list would be Energy and Water.

What I don't want to do is get in the overall sequencing of bills when I don't know how long this bill is going to take—hopefully tonight—or the Agriculture bill.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, might I inquire—first, I thank the leader for his words, which appear to be accommodating and perhaps efficient at this moment. I am not sure, but I want to ask another question.

Mr. FRIST. I hope so.

Mr. DOMENICI. The leader is aware of an Agriculture amendment that has rather broad support that we discussed today in the meetings and other Democrats have discussed with me which has to do with how manure and the like from cows and pigs is defined under the Comprehensive Environmental Response, Compensation, and Liability Act. I want to offer that amendment on the Agriculture bill. Nothing is going to preclude that in what we have talked about, is it?

Mr. FRIST. No, all rights will be preserved for Senators as we go on the Agriculture bill tomorrow. My understanding is the Senator from North Dakota will withdraw—in fact, why don't we go ahead and do that. The pending amendment will be withdrawn, and we will proceed with the MILCON bill.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 5144, WITHDRAWN

Mr. CONRAD. Mr. President, I thank the majority leader for being very constructive. I thank my friend from New

Mexico for his zealous guarding of the rights of his chairmanship of his committee. I certainly recognize that position.

I think we have made significant progress. We can move to the Agriculture appropriations bill tomorrow. That is the place this amendment ought to be. I only offered it on this bill because we had no prospect of going to the Agriculture appropriations bill any time this year without this agreement.

I thank the majority leader. I thank very much the chairman of the Agriculture Appropriations Subcommittee, the very able Senator from Utah. I thank the Senator from Wisconsin, Mr. KOHL. I very much thank the chairman of this committee, the Senator from Texas, and the Senator from California, the ranking member, who have been so constructive today. And again, special thanks to my colleague Senator DORGAN for his assistance throughout.

I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I commend the two Senators from North Dakota. We have worked well together. I think we have come to the right accommodation. He has been a gentleman to work with, and I appreciate it.

I am now going to start clearing amendments with voice votes. They have been cleared on both sides of the aisle. We have a couple of other small issues that need to be cleared. I hope by the time I finish, we can go to final passage.

I ask Senator BROWBACK to come to the floor to work out his issue because we are about to go to final passage.

AMENDMENT NO. 5122

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5122 offered by Senator STEVENS and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. STEVENS, proposes an amendment numbered 5122.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide that, of the amount appropriated or otherwise made available by this title for Family Housing Operation and Maintenance, Army, \$7,500,000 may be available for the lease of not more than 300 additional housing units in the vicinity of Fairbanks, Alaska)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading "FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY", \$7,500,000 may be available for the lease of not more than 300

additional housing units in the vicinity of Fairbanks, Alaska. Such funds may not be available for the construction or purchase of such units.

(b)(1) The total cost of a unit leased under subsection (a), including the cost of utilities, maintenance, and operation, may not exceed \$25,000 per year.

(2) A lease entered into under subsection (a) may not exceed 5 years in duration or include an option to extend the lease beyond the 5-year period beginning on the date the lease commences.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5122) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5125

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5125 offered by Senator REED.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. REED, proposes an amendment numbered 5125.

The amendment is as follows:

(Purpose: To provide that, of the amount appropriated or otherwise made available for Military Construction, Navy and Marine Corps, \$3,410,000 shall be available for the replacement of a vehicle bridge at Naval Station, Newport, Rhode Island, and to provide an offset)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) Of the amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, NAVY AND MARINE CORPS", \$3,410,000 may be available for the replacement of a vehicle bridge at Naval Station, Newport, Rhode Island.

(b) The amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, NAVY AND MARINE CORPS" and available for the Hazardous Material Storage Facility at Naval Station, Newport, Rhode Island, is hereby reduced by \$3,410,000.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5125) was agreed to.

AMENDMENT NO. 5131, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5131 offered by Senator THUNE, and I send a modification to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. THUNE, proposes an amendment numbered 5131, as modified.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase by \$750,000 the amount appropriated or otherwise made available for Military Construction, Air Force and available for the Air Force Financial Management Center, and to provide an offset)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. (a) The amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE" is hereby increased by \$750,000.

(b) Of the amount appropriated or otherwise made available by this title under the heading "MILITARY CONSTRUCTION, AIR FORCE", as increased by subsection (a), \$750,000 may be available for the Air Force Financial Management Center.

(c) The amount appropriated or otherwise made available by this title under the heading "NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM" is hereby reduced by \$750,000.

Mrs. HUTCHISON. Mr. President, I urge adoption of the amendment.

Mrs. FEINSTEIN. Mr. President, I have no objection to amendment No. 5131, as modified.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5131), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. FEINSTEIN. Mr. President, beg your pardon, if this is by voice vote, I suggest we have a voice vote.

Mrs. HUTCHISON. Amendment No. 5125 has been already approved; is that correct?

The PRESIDING OFFICER. There was no objection to the amendment, and it was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5126

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5126 offered by Senator FEINSTEIN.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mrs. FEINSTEIN, proposes an amendment numbered 5126.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To repeal the requirement for the Secretary of the Interior to cease the plan to exterminate the deer and elk population on Santa Rosa Island, Channel Islands, California)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Subsection (c) of section 1077 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) is hereby repealed.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate? There being no further debate, the amendment is agreed to.

The amendment (No. 5126) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5127

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5127 offered by Senator FEINSTEIN.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mrs. FEINSTEIN, proposes an amendment numbered 5127.

Mrs. HUTCHISON. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require a report on actions taken by the Secretary of Veterans Affairs to test veterans for vestibular damage)

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Secretary to test veterans for vestibular damage.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5127) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5129

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5129 offered by Senator CRAIG.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. CRAIG, proposes an amendment numbered 5129.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase to \$10,000,000 the threshold for major medical facility projects of the Department of Veterans Affairs)

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. (a) INCREASE IN THRESHOLD FOR MAJOR MEDICAL FACILITY PROJECTS.—Section 8104(a)(3)(A) of title 38, United States Code, is amended by striking "\$7,000,000" and inserting "\$10,000,000".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2006, and shall apply with respect to fiscal years beginning on or after that date.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5129) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5135

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5135 offered by Senator HUTCHISON. I ask unanimous consent that Senators CRAIG and ALLARD be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. CRAIG, and Mr. ALLARD, proposes an amendment numbered 5135.

Mrs. HUTCHISON. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize Department of Veterans Affairs to continue major medical facility projects and leases which have funds previously appropriated)

At the appropriate place insert the following:

SEC. 229. Notwithstanding any other provision of law, the Secretary is authorized to carry out major medical facility projects and leases for which any funds have been appropriated under this Act or any other Act. Further, for major medical facility projects authorized under Public Law 108-170, the Secretary may carry out contracts through September 30, 2007, including land purchase on projects for which Phase I design has been authorized.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5135) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5141

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5141.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 5141.

The amendment is as follows:

(Purpose: To amend the amount of a military construction project)

At the appropriate place insert the following:

“SEC. 126. (a) the amount available for ‘Military Construction, Air Force’ is hereby reduced by \$25,400,000 for ‘Basic Expeditionary Airmen Training Facility, Lackland AFB, Texas.’

“(b) The amount available for ‘Department of Defense Base Closure Account 2005’ is hereby increased by \$25,400,000.”

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5141) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5128, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5128 offered by Senator AKAKA, and I send a modification to the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is pending.

Without objection, the amendment is so modified.

The amendment (No. 5128), as modified, is as follows:

(Purpose: To provide, with an offset, an additional \$2,500,000 for the Department of Veterans Affairs for the Office of Inspector General)

At the end of title II, add the following:

SEC. _____. (a) ADDITIONAL AMOUNT FOR OFFICE OF INSPECTOR GENERAL OF DEPARTMENT OF VETERANS AFFAIRS.—The amount appropriated by this title under the heading “OFFICE OF INSPECTOR GENERAL” is hereby increased by \$2,500,000.

(b) OFFSET.—The amount appropriated by this title under the heading “CONSTRUCTION, MAJOR PROJECTS” is hereby reduced by \$2,500,000.

Mrs. HUTCHISON. I urge the adoption of the amendment, as modified.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment, as modified, is agreed to.

The amendment (No. 5128), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5130, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5130 offered by

Senator THUNE, and I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. THUNE, proposes an amendment numbered 5130, as modified.

The amendment, as modified, is as follows:

(Purpose: To require the business plan of the Veterans Integrated Service Network 23 for the implementation of a Community Based Outpatient Clinic in Wagner, South Dakota, to include an evaluation and an analysis of the prospect of colocating such clinic with the Wagner Indian Health Service unit in Wagner, South Dakota)

On page 106, between lines 12 and 13, insert the following:

SEC. 229. (a) COLOCATION OF COMMUNITY BASED OUTPATIENT CLINIC WITH WAGNER INDIAN HEALTH SERVICE UNIT, WAGNER, SOUTH DAKOTA.—No amount appropriated or otherwise made available for the Department of Veterans Affairs by this title may be obligated or expended to implement a business plan of Veterans Integrated Service Network 23 (VISN 23) for the implementation of a Community Based Outpatient Clinic (CBOC) in Wagner, South Dakota, unless such business plan contains an evaluation and an analysis of the prospect of colocating such Community Based Outpatient Clinic with the Wagner Indian Health Service unit in Wagner, South Dakota.

(b) AVAILABILITY OF AMOUNTS FOR EMERGENCY ROOM SERVICES AT WAGNER INDIAN HEALTH SERVICE UNIT.—Of the amount appropriated or otherwise made available to the Department of Veterans Affairs by this title under the heading “MEDICAL FACILITIES”, at the discretion of the Secretary of the Department of Veterans Affairs up to \$500,000 may be available for emergency room services at the Wagner Indian Health Service unit pending implementation of a business plan meeting the requirements in subsection (a).

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5130), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5138, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5138 offered by Senator OBAMA, and I send a modification to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. OBAMA, proposes an amendment numbered 5138, as modified.

The amendment is as follows:

(Purpose: To require a report on the costs of the Comprehensive Service Programs for homeless veterans)

At the appropriate place in title II, insert the following:

SEC. _____. (a) STUDY ON COSTS OF COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.—The Secretary of Veterans Affairs shall carry out a study of costs associated with the Comprehensive Service Programs authorized by sections 2011 and 2012 of title 38 United States Code.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans’ Affairs and Appropriations of the Senate and the Committees on Veterans’ Affairs and Appropriations of the House of Representatives a report on the study required by subsection (a). The report shall set forth the following:

(1) The number of authorized and operational transitional housing beds and service centers under the programs referred to in subsection (a) in fiscal year 2006, and the number of such beds and centers in each State and in each Congressional District during such fiscal year.

(2) The cost in fiscal year 2006 of grants under section 2011 of title 38, United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(3) The cost in fiscal year 2006 of per diem payments under section 2012 of title 38 United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(5) The number of applications received, scored as qualified, and awarded pursuant to the Capital Grant Notice of Funds Availability published on April 20, 2006.

(6) The range of per diem payment rates, the average per diem payment rate, and the median per diem payment rate paid to recipients of grants under section 2012 of title 38, United States Code, in fiscal year 2006.

(7) The number and percentage of total recipients of grants under section 2011 of title 38 United States Code, in fiscal year 2006 being paid under section 2012 of title 38, United States Code, the rate authorized for State homes for domiciliary care under section 1741(a)(1)(A) of that title for fiscal year 2006.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5138), as modified, was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 5146

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5146 offered by Senator COCHRAN.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. COCHRAN, for himself, and Mr. LOTT, proposes an amendment numbered 5146.

The amendment is as follows:

(Purpose: To provide that of the amount appropriated or otherwise made available by chapter 7 of title I of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 for Military Construction, Navy and Marine Corps, and available for the replacement of a Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi, \$13,400,000 may be available for the construction of an additional Bachelor Enlisted Quarters at such center)

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Of the amount appropriated or otherwise made available by chapter 7 of title I of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148) under the heading "MILITARY CONSTRUCTION, NAVY AND MARINE CORPS" and available for the replacement of a Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi, \$13,400,000 may be available for the construction of an additional Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi.

Mrs. HUTCHISON. I urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 5146) was agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. HUTCHISON. Mr. President, we are now down to two amendments that we are still clearing with the proper committees and one more that is still not yet agreed to.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. Mr. President, I understand the chairman and ranking member are trying to work out the final amendments on this bill, and they have both done an excellent job in putting the Military Construction bill together for the Nation. But also, while my colleague from Idaho is on the floor, Senator CRAIG, who is leading on the authorization side, I wanted to come to the floor on behalf of the people of Louisiana and the gulf coast, really, to thank the chair and ranking member for putting in this MILCON bill, the Military Construction appropriations bill, a full authorization for the veterans hospital that was destroyed or heavily damaged in Hurricane Katrina, and then, of course, flooded again in Hurricane Rita. Four hundred thousand veterans from Louisiana rely on this hospital, as well as

hundreds of thousands from the gulf coast: Texas, Mississippi, and Alabama.

We have worked very hard to reestablish the veterans infrastructure along the gulf coast. This has been extremely problematic because of some tensions between several committees. But the good work of Senator HUTCHISON from Texas and Senator FEINSTEIN from California and, of course, Senator CRAIG's good help and support has helped us to get this authorization done in this way. We are extremely grateful. It may be the first public-private partnership in the Nation, or one of the earliest. We think it is going to be an excellent model of health care, not only for our veterans but a real economic anchor, if you will, for the revitalization of New Orleans and the gulf coast. We are looking forward to doing an excellent job with this money for the taxpayer and for the veterans, who have come to rely on this hospital and the services we provide as a lifeline, literally. Now they look at it as more than just a place to go for health care; they look at it as a flag that will be raised in the devastated part of New Orleans to rebuild this great city and region. It has really become a symbol of hope, not just for veterans, which it always is, and their families, but now it has become a symbol of hope for our whole community.

So I just wanted, while that is being worked out and other things are being worked out, to take this time to thank them and to tell them how grateful we are in Louisiana and those in the New Orleans area for their help and support and for their confidence in moving this project forward. As a member of the committee, I have been very pleased to work on this and have it accomplished in this way.

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

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

Mrs. HUTCHISON. Mr. President, I want to announce for our colleagues that it is our intention in the next 15 minutes to finish this bill and go to final passage. We are intending to voice-vote final passage. However, we are still working out two amendments: an amendment by Senator REID and an amendment by Senator ALLEN. I cannot say for sure that there will not be a record vote on one of those amendments, but we are trying to avoid that. I will just say the disposition of the Reid and Allen amendments will be the last measures in this bill to be agreed to, and we will then go to final passage.

I would just tell my colleagues we are hoping not to have any more roll-call votes, but it is not totally clear yet. I hope to be able to finish this by 7 o'clock. I will report back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 5143

Mrs. HUTCHISON. Mr. President, I call up amendment No. 5143 by Senator ALLEN.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for Mr. ALLEN, proposes an amendment numbered 5143.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. HUTCHISON. Mr. President, I urge passage of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 5143) was agreed to.

Mrs. FEINSTEIN. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

YELLOWSTONE COUNTY NATIONAL VETERANS CEMETERY PROJECT

Mr. BAUCUS. Is the distinguished Senator from California aware of the need for a new veterans cemetery in Yellowstone County in Montana?

Mrs. FEINSTEIN. I am aware that there is a need for more veterans cemeteries nationwide. I would be very interested in hearing about the situation in Montana.

Mr. BAUCUS. In Montana, we have the highest percentage of veterans per capita of any State in the country. Yellowstone County has 17.5 percent of all of the State's veterans, and when added to the surrounding counties, the greater Yellowstone area includes 25 percent of the State's veterans. The other national cemetery in the area—the Little Bighorn National Cemetery—is full. Eastern Montana faces a severe shortage in burial locations for Veterans.

Mrs. FEINSTEIN. What is being done to address this need?

Mr. BAUCUS. On November 7 of this year the voters of Yellowstone County in my home State of Montana overwhelmingly approved a mill levy to provide \$250,000 to the opening phase of the construction of the new Yellowstone County National Veterans Cemetery. However, the local mill levy only provides part of the funding needed and is to be used in conjunction with anticipated Federal funding as well as

private donations because the first phase of the project has a preliminary cost estimate of over \$1 million for roads, irrigation, and site improvements. Federal funds are needed for the project to begin. This funding is very important to Montana because we are out of burial space for our veterans. This new cemetery would provide burial spaces for our veterans for the next 20 to 30 years.

Mrs. FEINSTEIN. I applaud the initiative of the residents of Yellowstone County, and I can assure the distinguished Senator from Montana that I will work in conference on this bill to include language in the Statement of Managers directing the Secretary of the Department of Veterans Affairs to review the status and progress of the Yellowstone County National Veterans Cemetery project and report his findings back to Congress.

Mr. BAUCUS. I deeply appreciate the commitment of my distinguished colleague from California to the State of Montana's veterans.

CHILD CARE CENTER AT BEALE AIR FORCE BASE

Mrs. BOXER. Mr. President, I would like to take a few moments to discuss an issue of critical importance to the military families at Beale Air Force Base in Yuba City, CA.

The Child Development Center, CDC, at Beale Air Force Base is in dire need of refurbishment. While the Beale community has gone to great lengths to ensure that the dependents of military personnel at Beale have a safe place to be cared for and to learn, the reality is that the existing CDC is woefully inadequate.

The existing structure which is approximately 40 years old is worn, outdated, and far too small. In fact, I understand that for over the past 5 years, the waiting list for placing students in the facility has not dropped below 100 children.

To make matters worse, the CDC may even pose a potential health risk to children. Old and worn carpet cannot be replaced because doing so would expose the children to asbestos. This is unacceptable.

Our men and women who are serving our country simply should not have to worry that their children are being exposed to hazardous material. We owe them far more than that.

The Air Force has reached the conclusion that it will take \$14 million to refurbish the Beale CDC. It is my understanding that funding to upgrade the CDC is included in the fiscal year Defense plan for 2008. It is extremely important that this funding for the CDC be included in the President's budget request for 2008.

Mrs. FEINSTEIN. I share my home State colleague's concern for the Child Development Center at Beale. As the ranking member of the Subcommittee on Military Construction and Veterans Affairs, I, too, believe that it is critical to fund the CDC at Beale. The Air Force has included \$14 million in its Future Years Defense Plan for fiscal

year 2008, which clearly indicates the Air Force intends to include this project for funding in the President's budget request. I strongly urge the Air Force to retain this project in its projection for funding in next year's request.

FUNDING FOR BLINDED VETERANS' SERVICES

Mr. SALAZAR. Mr. President, as we consider legislation to fund the Department of Veterans Affairs for fiscal year 2007, I want to briefly discuss the importance of providing adequate funding for blinded veterans' services.

Visual impairment or blindness is an increasingly frequent injury among our fighting men and women. In my visits to military hospitals, I have seen firsthand the impact that these severe eye injuries can have on the lives of our young men and women in uniform. While none of them ever complains, the sacrifice they have made for their country is starkly evident, and we owe it to them to ensure they are taken care of when they return home.

The good news is that VA's Blind Rehabilitative Service is a global leader in providing comprehensive blind rehabilitation to America's blinded veterans, and the care available from the Nation's 10 Blind Rehabilitation Centers is dependable and effective. The bad news is that, while these 10 rehabilitation centers provide inpatient care effectively and efficiently, that is not always the case at other VA medical centers across the country.

The VA Medical Center in Denver, CO, treats approximately 900 blinded veterans, many of whom require rehabilitative services that the Denver facility cannot provide. Instead, those men and women must travel to Tucson, AZ, or even farther to the American Lake Blind Center in Washington State to receive the care they have earned. The problem is not limited to my State of Colorado; VA's own analysis in April 2005 found that 78 VA medical centers currently do not have any basic existing outpatient blind rehabilitative services.

I am glad that, in its budget request for fiscal year 2007, the VA provided an increase in its line item for blind services of \$5.4 million over last year. However, I am concerned that with growing medical costs and the rising numbers of service members returning from Iraq and Afghanistan with severe eye injuries, such an increase is not enough.

Walter Reed Army Medical Center recently reported to the Veterans Health Administration that, between March 2003 and April 2006, 16 percent of all service members evacuated from the war in Iraq had eye injuries, and of the 1,800 service members wounded with traumatic brain injury, 19 percent experienced post trauma visual Syndrome, PTVS, with neurological visual impairments requiring long-term specialized care. It is clear from these figures that the VA workload with respect to low-vision and blinded veterans is going to increase in coming years, on top of the already aging population of veterans with blindness.

The strong report language contained in this legislation, which directs the VA to begin implementing a plan to expand more outpatient blind rehabilitation services and training and directs the VA to report back to Congress on the status of these efforts, is a good start. I am grateful to Chairwoman HUTCHISON and Ranking Member FEINSTEIN and their staffs for their work in this area and hope we can work together to build on these efforts to ensure adequate funding for blinded veterans' services in years to come.

Mrs. FEINSTEIN. Mr. President, I thank Senator SALAZAR for his dedication to our Nation's veterans and to the effort to provide comprehensive care to blinded veterans in particular. I certainly understand the devastating impact that severe eye injuries have on the lives of service men and women returning from combat and agree we must work to ensure that our efforts in Congress keep pace with the rising costs of providing care to these men and women and with the growing numbers of service members returning home in need of such care.

The language contained in this report is strong, and I am confident it will help to push the VA in the right direction as we strive to provide care for blinded veterans in the most comprehensive and efficient way possible. I remain committed to that effort and to working with my colleagues in both parties to see that blinded veterans receive the best services our government can provide.

Mr. SALAZAR. Mr. President, again, I thank the chair and the ranking member for their leadership on this legislation and look forward to working closely with both of them on behalf of our Nation's blinded veterans.

Mr. CRAIG. Mr. President, I support the Smith and Burns amendments and take just a few minutes to address both issues which are truly an emergency.

First, Mr. Smith has filed an amendment to extend the Secure Rural Schools and Community Self-Determination Act for 1 year. Without a one year extension, the 780 counties that benefit from the Act will face difficult funding decisions regarding the next school year. This act expired September 30th of this year and the last payment is in the process of being made. Without this funding, school districts will have to decide what programs should be cut in order to make ends meet. For many districts this will include the decision of which schools to keep open and which schools to close. We are about to experience an emergency in our schools if funding is not addressed.

The act has been an enormous success in achieving and even surpassing the goals of Congress. This act has restored programs for students in rural schools and prevented the closure of numerous isolated rural schools. It has been a primary funding mechanism to provide rural school students with educational opportunities comparable to

suburban and urban students. Over 4,400 rural schools receive funds because of this act.

Next, the act has allowed rural county road districts and county road departments to address the severe maintenance backlog. Snow removal has been restored for citizens, tourists, and school buses. Bridges have been upgraded and replaced and culverts that are hazardous to fish passage have been upgraded and replaced.

The legacy of this act over the last few years is positive and substantial. This law should be extended so it can continue to benefit the forest counties, their schools, and continue to contribute to improving the health of our national forests.

If we do not work to reauthorize this act, all of the progress of the last years will be lost. Schools in timber dependant communities will lose a substantial part of their funding. These school districts will have to start making tough budget decisions such as keeping or canceling after school programs, sports programs, music programs, and trying to determine what is the basic educational needs of our children. Next, counties will have to reprioritize road maintenance so that only the essential services of the county are met because that is all they will be able to afford.

Thirty of our colleagues, have joined Senator Wyden and me in recognizing the importance of the reauthorization of this Act by cosponsoring S. 267.

Next, Mr. Burns' has filed an amendment addressing wildfire suppression funding. As we all know, this has been an extraordinary year with 89,524 fires on 9.5 million acres of land across the country to date. Indeed, this has been the worst fire season on record in terms of acres burned. By way of comparison, the 10-year average projection for fiscal year 2006 was 60,726 fires on 4.9 million acres, or about half of what is likely to burn for this year.

Due to the severity of this year's fire season, the Forest Service and Department of the Interior, DOI, will exhaust their appropriated funds for wildfire suppression before the end of this fiscal year which will force them to borrow from nonfire program accounts. Additional funds are needed to repay these borrowed funds or these agencies will face serious disruptions to critical programs. When borrowing from non-fire program accounts occurs, it causes numerous project delays and cancellations, strained relationships with state and local agency partners, and disruptions in essential program management efforts. Frequently, these cancellations and delays increase costs and the time needed to complete the projects. Again, we need to address this emergency before it causes significant havoc for our public lands.

Mr. JOHNSON. Mr. President, in July the Senate Appropriations Committee approved the fiscal year 2007 Military Construction and Veterans Affairs appropriations bill. As a member of the committee, I supported this measure,

and it is now being considered by the full Senate.

The bill provides a total of \$94.3 billion in spending, including funding to make a number of critical upgrades to our military infrastructure. As a member of the appropriations subcommittee that has oversight on military construction, I was able to use my position to ensure that \$23.4 million was included for three military construction projects in South Dakota.

Investing in our military infrastructure ensures that our military personnel have the tools they need to perform their mission. This bill provides \$7.5 million to construct a new base civil engineer maintenance complex for the South Dakota Air National Guard at Joe Foss Field. This funding is necessary because the current complex is undersized and inadequate. The new facility will help the 114th Fighter Wing maintain a combat-ready force of civil engineers.

In addition to this infrastructure upgrade, Ellsworth Air Force Base will receive \$3 million to install an urgently needed base water well. Likewise, a new Armed Forces Reserve Center will be constructed in Sioux Falls. Currently Army Reserve and Navy Reserve operations are housed in leased facilities that are over 40 years old. The new center will consolidate all operations into a new complex.

The bill also includes nearly \$78 billion for the Department of Veterans Affairs, which is \$6.45 billion above last year's funding level. This amount includes \$28.7 billion for medical services—an increase of \$3 billion from last year.

Most importantly, the Senate Appropriations Committee rejected President Bush's budget proposal to implement a \$250 annual enrollment fee and increased pharmacy copayments for category 7 and 8 veterans. These fees are designed to generate revenue in order to help offset VA expenditures. In reality, they may force veterans to seek health care elsewhere because they cannot afford either the annual enrollment fees or the increased copayment costs.

Rather than relying on budget proposals aimed at driving veterans out of the VA in order to save money, I am pleased that the Senate opposed President Bush's proposal. I firmly believe that we should provide adequate funding to ensure all those who have defended our country receive the health care they have earned and deserve.

Mr. President, I continue to have deep concerns about the spending priorities of the Bush administration, but I do believe this bill will help provide our service members with top-notch military facilities. And while we can always do more for our veterans, this bill is a step in the right direction toward honoring our commitment to all those who served.

Mr. ALLARD. Mr. President, I rise today in support of the Military Construction and Veterans Affairs appro-

priations bill because of its commitment to VA health care as well as its support of vital and necessary military facilities in the State of Colorado.

I am pleased that this bill increases funding to essential programs that maintain and improve the quality of life for our veterans. It is important to note that this is the sixth consecutive year that Congress has increased funding for veterans health care programs. This year the committee recommends that Veterans Health Administration be appropriated at \$32.67 billion, which is a \$3.32 billion increase over last year's level.

Furthermore, I would like to commend the committee for maintaining their commitment to Capital Asset Realignment Enhanced Services, CARES, process. CARES is the most comprehensive analysis of the VA's health care infrastructure that has ever been conducted and is important in prioritizing the VA's budget. Specifically, I am especially pleased with the committee's recommendation of \$52 million for a replacement hospital in Denver, CO.

The current Denver VA hospital was built more than 50 years ago and medical technology has far surpassed what the builders of the Denver VA originally envisioned. While I cannot say enough about the care and service our veterans receive at the current facility, many changes and improvements can and should be made, and a new facility is the only way to accomplish these goals.

The construction plans present credible proof that a new Fitzsimons facility will increase healthcare quality and quantity for our veterans. It is my hope, and it is a likely one, that a new hospital will also serve as a regional beacon for modern veteran medical care science and will fill an important void for the large number of veterans in Colorado.

I would like to acknowledge the recommendation of \$161 million for the National Cemetery Administration, which saw an increase of \$4.1 million over the fiscal year 2006 level. Specifically, I am pleased the committee recognizes the need for a VA cemetery in the Pikes Peak region of southern Colorado. This area is home to over 125,000 veterans, and would be well served by a national cemetery.

Additionally, I support portions of this appropriations bill that recommend \$50.1 million for necessary military construction improvements at Fort Carson, and an additional \$130.6 million for projects in Colorado.

Specifically at Fort Carson, this bill recommends funds for the completion of phase 2 of the airfield arrival/departure complex as well as funds for the Special Operations Complex. Fort Carson, known as the Mountain Post, plays an essential role for the Army.

I am also pleased at the committee's recommendation that directs the U.S. Air Force to submit a master infrastructure recapitalization plan for the

U.S. Air Force Academy facilities. This plan will begin the process of updating and improving necessary infrastructure concerns. As the Academy enters its sixth decade of operation, these important improvements will better enable the Academy to fulfill its mission of education, training and equipping cadets.

Other projects in Colorado funded by this bill includes funds for the Space Test and Evaluation Facility at Schriever Air Force Base, continued construction at the Pueblo Chemical Weapons Depot, \$10.7 million for a consolidated fuels facility at Buckley AFB and \$7 million for the Air National Guard F-16 Fighter Squadron Operations Center, also at Buckley AFB. These projects are vital to the continued success of our military at all levels.

I urge the Senate to expeditiously pass this bill in order to send it to the President's desk as soon as possible. I would also like to thank Chairwoman HUTCHISON for her leadership and diligence on this committee over the years and look forward to continuing to work with her in the future.

Mr. McCAIN. Mr. President, I rise today to address the Senate concerning the legislation before us, the Military Construction and Veterans Affairs appropriations bill for fiscal year 2007. This bill is particularly important in this time of ongoing war, structural changes in the force, and an aging veteran population. The committee has worked to produce a bill that, while imperfect, addresses many of the issues that challenge our armed services and veterans, and I thank them for their work.

America remains at war, a war that continues to unite Americans in pursuit of a common goal—to defeat terrorism. Americans have and will continue to make sacrifices for this war. Our service men and women in particular are truly on the front lines in this war, separated from their families, risking their lives, and working extraordinarily long hours under the most difficult conditions to accomplish the ambitious but necessary task their country has set for them.

It is important that we understand the context of this year's military construction legislation. Three processes are playing out simultaneously that require reasoned and appropriate congressional action on this bill. First, America's struggle for peace in Iraq continues. Second, our largest service, the Army, is undertaking significant structural changes and redeploying thousands of troops. Third, the recent round of base realignment and closure that streamlined the defense infrastructure is now being implemented. These three issues have defined the requirements of the legislation before us. The committee has recognized the challenges and outlined military construction spending that, in large part, meets them.

I am pleased to note that the Appropriations Committee has met the

spending level requested by the administration for the Department of Veterans Affairs. This is particularly important in light of the growing numbers of young veterans who look to the VA for care. To date more than 184,000 veterans of Iraq and Afghanistan have sought care through the VA. Of that number, 30,000 have been found to exhibit symptoms similar to post-traumatic stress or PTSD, and I applaud the committee's support for PTSD programs and funding. This legislation also provides \$32.7 billion for the Veterans Health Administration for fiscal year 2007, nearly equivalent to the President's request.

I commend the distinguished chairman of the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies for her willingness to work with the Senate Armed Services Committee, SASC, to ensure this bill generally funds MILCON projects consistent with the authorizing committee's views. The chairman has always made a considerable effort to work with the authorizers to mitigate differences in the defense funding and authorizing bills.

In particular, I appreciate the chairman's efforts to remove an unrequested and unauthorized MILCON project for Lackland Air Force Base after I brought my concerns to her attention. That project was not requested by the administration, nor is it listed in the Air Force's Unfunded Priority List, UPL. It was added only after the Air Force Chief of Staff sought the funding outside the regular process, without the concurrence of DOD or OMB and without any notification to or feedback from the authorizing committees.

When the authoring committees finally learned about this project, we had already completed committee markups and passed Defense authorization bills in both chambers. The authorizing committees refused to add an out-of-scope provision into the final conference report to authorize this Air Force earmark, and as such, the chairman has since agreed to remove it from the pending bill in a manager's amendment on the Senate floor.

I wanted to spend time on the Senate floor to highlight this Air Force MILCON earmark because it demonstrates how authorizers and appropriators can and should work together. While ideally the provision would never have been included in the bill since it wasn't requested, the chairman was more than willing to listen to my concerns as an authorizer, and she acted most appropriately by agreeing to remove the earmark. Again, I thank Senator HUTCHISON for her steadfast leadership and accommodation of the authorization committees' wishes.

Unfortunately, the bill before us is not entirely free of earmarks. I am concerned that, while this bill is some \$434 million below the administration's request, it nonetheless recommends almost \$90 million in unrequested spending that is directed at unauthorized

projects. While I recognize that many of the earmarks added to this legislation may sound worthwhile, they do not belong in the bill or its report. Needless to say, it is distressing that in this time of fiscal constraints, lawmakers continue to earmark military funds while underfunding the President's overall request.

Let me mention a few examples of money earmarked in the committee report for specific projects that were not requested by the Department of Defense: \$1.5 million for a general instruction building in Fort Lewis, WA; \$1.5 million for officer's quarters in Ravenna, OH; \$1.5 million for a dining facility at Camp Roberts in San Miguel, CA; \$3.4 million for an Aviation Readiness Center at Helena Regional Airport, MT; \$1.4 million for an engine shop in Fort Worth, TX; \$900,000 for an information technology complex at Wright-Patterson AFB, OH; and \$2.0 million for a regional training institute in West Virginia.

Almost all the earmarked money will go to the States represented by members of the committee. These examples are only part of the nearly \$60 million in unrequested earmarks that siphon funds away from important programs needed for enhancing our warfighting capability. This means that the armed services have come to us with urgent needs, and we have responded by giving them less than what they asked for while requiring that they spend it to suit our parochial needs rather than military necessity.

The problems facing our active and retired veterans, whether in the form of force structure or modernization or enhancing quality of life benefits, are properly addressed in a deliberative budget process. However, we should think twice before diverting money away from military necessities to fund home State projects. The American taxpayer expects more of us, as do our brave service men and women who are fighting this war on global terrorism on our behalf.

Mrs. HUTCHISON. Mr. President, we are now ready to go to final passage. I ask for a voice vote on passage.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5385), as amended, was passed.

Mrs. FEINSTEIN. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the title amendment be agreed to.

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

The title was amended so as to read: An Act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.

Mrs. HUTCHISON. Mr. President, I think that finalizes the bill, the Military Construction appropriations bill and Veterans Affairs appropriations bill for 2007. I thank all of my colleagues for their cooperation and patience, especially my colleague, Senator FEINSTEIN, my ranking member who has been such a great colleague to work with on this bill. Her staff and my staff have done an incredible job. I appreciate this opportunity and look forward to going to conference and having our military personnel be housed and have the equipment that is in the Military Construction bill which they so readily deserve.

Especially, I have to say that funding the veterans and their needs is a special privilege for all of us because we have young men and women coming back from Iraq and Afghanistan as we speak with injuries that we want to assure are cared for and healed, and where necessary that we have the rehabilitation which they so richly deserve.

I think we have done a good job of covering these needs. I am very pleased that we have taken one more step to finalize this bill.

Mrs. FEINSTEIN. Mr. President, if I might, I thank the chairman, my friend, the Senator from Texas. We usually have a very easy time with this bill. There are usually not many amendments to this bill. But perhaps because this is the first vehicle to move a number of items, they seemed to come up this afternoon. I think the chairman has shown great leadership and flexibility. Sometimes they go together and sometimes they do not, but she has possessed both today.

I am very grateful, and the Democratic side is very grateful for it as well. This is a good bill. It is a bipartisan bill. It takes good care of veterans. It eliminates the problem of financing that we had last year. Overall, it is an excellent bill. I am very proud to have worked with the chairman. I thank her.

I thank the majority staff. And, of course, I thank my staff, of which Christina Evans is sitting on my left, and B.G. Wright and Chad Schulken back in the box.

It has been a good day. At least we have accomplished a substantial bill.

I yield the floor.

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

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

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

HONORING OUR ARMED FORCES

SERGEANT KAMPHA B. SOURIVONG

Mr. GRASSLEY. Mr. President, today I ask that the Senate join me in paying tribute to SGT Kampha Sourivong, who made the ultimate sacrifice while protecting freedom. Sergeant Sourivong, of Iowa City, IA, was assigned to C Company, 1st Battalion, 133rd Infantry Regiment, 34th Infantry Division, Army National Guard, based out of Iowa Falls, IA. He was mobilized for Operation Iraqi Freedom with the unit in September 2005 and arrived in Iraq in early May 2006. He died at the age of 20, on September 30, 2006, in Al Asad, Iraq, when his military vehicle encountered small arms fire.

Sergeant Sourivong will be posthumously awarded the following awards and decorations for his heroic service: the Bronze Star, the Purple Heart, the Armed Forces Reserve Medal with Mobilization device, the Army Good Conduct Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, the Army Service Ribbon, and the Combat Infantryman Badge.

My thoughts and prayers have been with Sergeant Sourivong's parents, Patty and Maliphone Sourivong, his brother and sister, and all those other family and friends who are grieving the loss of this young man. The Sourivong family described Kampha as "a very caring person" who "had a lot of friends, loved his family, loved his brother and loved his sister" and someone who "would give the shirt off his back to someone in need."

I am grateful for the sacrifice that both Sergeant Sourivong and his family have made. Our Nation will forever be in their debt. While the tragic loss of this young American is deeply sad, he will be remembered proudly as the hero that he was.

REMEMBERING CONGRESSWOMAN HELEN CHENOWETH-HAGE

Mr. CRAPO. Mr. President, in recent weeks, many of our thoughts have been turned to Helen Chenoweth-Hage, her memory, and her family.

As you know, Helen was laid to rest in October after a tragic automobile accident took her life. We honor and remember this remarkable woman, and I feel privileged to share with you some of my memories and thoughts about her and the time that we served together in the U.S. House of Representatives.

There will never be another public servant in Idaho like Helen. I served

alongside her in the House of Representatives and worked on many issues with her, from fighting Federal mandates in north Idaho to fighting for our military at Mountain Home Air Force Base and Gowen Field in Boise. She stood firm in her convictions and beliefs, honoring the promises she made to those who put her in office. Helen knew, without a doubt, what she believed in, and she lived those beliefs in word and deed unwaveringly.

She worked very hard to make sure she had an understanding of what was at stake. When she started her congressional career in 1995, she read every piece of legislation that was coming up for a vote on the House floor. She felt she owed it to those who sent her to Congress. She surprised more than a few committee chairmen by showing up at hearings being held by committees she didn't serve on, simply because of her desire to know more and understand an issue.

One of her most-oft repeated matras was "Love many, trust few, and paddle your own canoe." And that is exactly what she did—she was not someone who would check the wind before deciding what to do. She listened, asked questions, read documents, studied the issues, and talked with experts and plain folks. She took all that information she gathered and then made her decision. At her center was a very principled, gracious woman—one who was strong in her beliefs and kind to all those around her, regardless of theirs. In many ways, she mirrored the principled center many of us admire about President Ronald Reagan.

Idahoans have lost a true champion for smaller government and personal freedoms. Helen brought Idaho into the national spotlight. She stood tough on the issues and spoke out often, even after she left the House of Representatives in 2001. She could always be counted on to call out hypocrisy in government and placed her reputation on the line many times to hold to her beliefs on what was best for Idahoans.

Perhaps the best way to remember Helen is to quote her own words in an interview done with Reason Magazine in October 2000. When the reporter asked how she would like to be remembered, this is what she said:

That I have been true to real Republican principles. It's been people like Tom Coburn, Mark Sanford, and myself who have constantly said, 'Let's not forget who we are and why we are here.' And that is to protect individual rights, American sovereignty, and private property. If there is not a force of law and justice to protect private property, then we have lost the basis of our freedoms.

She said something else in that interview that strikes a resonant chord with me, in particular. When asked what the greatest threat to American Liberty was, she said:

Too much federal and state government. The lack of respect of people working in government for individuals. An idea that certain people who occupy powerful positions in the administration can make better decisions about an individual and their life choices than can that individual.