

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

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ISLAM'S PROBLEM

(By Irshad Manji)

Last week, two very different Brits had their say about the latest terrorist plots in their country. Prime Minister Gordon Brown told the nation that "we have got to separate those great moderate members of our community from a few extremists who wish to practice violence and inflict maximum loss of life in the interests of a perversion of their religion." By contrast, a former jihadist from Manchester wrote that the "real engine of our violence" is "Islamic theology."

Months ago, this young man informed me that as a militant he raised most of his war chest not from obscenely rich Saudis, but from middle-class Muslim dentists living in the United Kingdom. There's sobering lesson here for the new prime minister.

So far, those arrested in connection to the car bombs are, by and large, medical professionals. The seeming paradox of the privileged seeking to avenge grievance has many champions of compassion scratching their heads. Aren't Muslim martyrs supposed to be poor, disenfranchised, and resentful about both?

We should have been stripped of that breezy simplification by now. The 9/11 hijackers came from means. Mohamed Atta, their ringleader, earned an engineering degree. He then moved to the West, pursuing his post-graduate studies in Germany. No servile goat-herder, that one.

In 2003, I interviewed Mohammad Al Hindi, the political leader of Islamic Jihad in Gaza. A physician himself, Dr. Al Hindi explained the difference between suicide and martyrdom. "Suicide is done out of despair," the good doctor diagnosed. "But most of our martyrs today were very successful in their earthly lives."

In short, it's not what the material world fails to deliver that drives suicide bombers. It's something else. And, time and again, the very people committing these acts have articulated what that something else is: their religion.

Consider Mohammad Sidique Khan, the teaching assistant who master minded the July 7, 2005 transit bombings in London.

In a taped testimony, Khan railed against British foreign policy. But before bringing up Western imperialism, he emphasized that "Islam is our religion" and "the Prophet is our role model." Khan gave priority to God, not to Iraq.

Now take Mohammed Bouyeri, the Dutch-born Moroccan Muslim who murdered Amsterdam film director Theo van Gogh. Bouyeri pumped several bullets into van Gogh's body. Knowing that multiple shots would finish off his victim, why didn't Bouyeri stop there? Why did he pull out a blade to decapitate van Gogh?

Again, we must confront religious symbolism. The blade is an implement associated with 7th-century tribal conflict. Wielding it as a sword becomes a tribute to the founding moment of Islam. Even the note stabbed into van Gogh's corpse, although written in Dutch, had the unmistakable rhythms of Arabic poetry.

Let's credit Bouyeri with honesty: At his trial he proudly acknowledged acting from "religious conviction."

Despite integrating Muslims far more adroitly than most of Europe, North America isn't immune. Last year in Toronto, police nabbed 17 young Muslim men allegedly plotting to blow up Canada's parliament

buildings and behead the prime minister. They called their campaign "Operation Badr," a reference to the Battle of Badr, the first decisive military triumph achieved by the Prophet Mohammed. Clearly, the Toronto 17 drew inspiration from religious history.

For people with big hearts and good will, this has to be uncomfortable to hear. But they can take solace that the law-and-order types have a hard time with it, too. After rounding up the Toronto suspects, police held a press conference and didn't once mention Islam or Muslims. At their second press conference, police boasted about avoiding those words.

If the guardians of public safety intended their silence to be a form of sensitivity, they instead accomplished a form of artistry, airbrushing the role that religion plays in the violence carried out under its banner.

They're in fine company: Moderate Muslims do the same.

While the vast majority of Muslims aren't extremists, a more important distinction must start being made—the distinction between moderate Muslims and reform-minded ones. Moderate Muslims denounce violence in the name of Islam—but deny that Islam has anything to do with it.

By their denial, moderates abandon the ground of theological interpretation to those with malignant intentions—effectively telling would-be terrorists that they can get away with abuses of power because mainstream Muslims won't challenge the fanatics with bold, competing interpretations.

To do so would be to admit that religion is a factor. Moderate Muslims can't go there.

Reform-minded Muslims say it's time to admit that Islam's scripture and history are being exploited. They argue for re-interpretation precisely to put the would-be terrorists on notice that their monopoly is over. Re-interpreting doesn't mean re-writing. It means re-thinking words and practices that already exist—removing them from a seventh-century tribal time warp and introducing them to a twenty first-century pluralistic context.

Un-Islamic? God no. The Koran contains three times as many verses calling on Muslims to think, analyze, and reflect than passages that dictate what's absolutely right or wrong. In that sense, reform minded Muslims are as authentic as moderates, and quite possibly more constructive.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is recognized.

HEALTH CARE

Mr. WYDEN. Mr. President, like all of us in the Senate, I have just come back from a great week in Oregon. We own the summer. It is just wonderful to be home during these warm days and cool nights. Other parts of the country may have beautiful months other times in the year, but nobody can beat an Oregon summer.

I want to talk a little bit about what I heard as I moved around the State. What I heard again and again is that folks at home want the Senate to change course in Iraq, and they want us to fix health care. We are going to start on the first item today in a few minutes when we go to the Defense authorization bill. I believe very strongly that we don't support our courageous troops in Iraq by forcing them to referee a civil war there. I think it will

become clear this week that there is growing and bipartisan interest in the Senate to set a specific deadline to force the Iraqis to make the decisions for themselves about how they will govern their Nation.

So what I want to do is talk for a few minutes about health care—something I know the President pro tempore of the Senate has a great passion about as well, and certainly folks are talking about today—because the need to fix health care is so great. Of course, many have flocked to the Michael Moore movie as well, generating additional debate about this issue.

The first matter on the health care agenda to come up is going to be the Children's Health Insurance Program. In my view, passing a strong program for kids is about erasing a moral blot on our Nation. It is unconscionable that millions of kids, youngsters in Rhode Island and Oregon and across the country, go to bed at night without good, quality, affordable health care. In a country as rich and strong as ours, as the majority leader, Senator REID, noted earlier this afternoon, clearly we can do this, and we can do it in a bipartisan way.

The Senate Finance Committee is not going to pass a children's health program that becomes a Trojan horse for government-run health care. That is not going to happen in the Senate Finance Committee. The Senate Finance Committee is going to work in a bipartisan way under the leadership of Senator BAUCUS, working with Senator GRASSLEY and Senator ROCKEFELLER and Senator HATCH, and I am very hopeful that there will be bipartisan agreement over the next few days that targets the desperately needy youngsters in our country and is responsibly funded. I am hopeful that will come together this week, and members of the Senate Finance Committee will be working throughout the week on a bipartisan basis to bring that about.

But it is also very clear, in my view, that the State Children's Health Insurance Program was not created to solve our Nation's health care crisis. In fact, I think when we get on the floor debating the children's health program, the Senate will see and the country will see that this debate illustrates how broken our health care system is. We are clearly spending enough money; we are just not spending it in the right places.

For example, for the amount of money we are spending this year, our country could go out and hire a doctor for every seven families in the United States and pay that doctor \$200,000 a year to care for seven families. Whenever I bring this up with the physicians, they always say: Ron, where do I go to get my seven families? So, clearly, we are spending enough money, and we are going to use the dollars even more efficiently, as the Senator from Rhode Island brings us his very constructive proposals as they relate to better use of health information technology.

Second, I believe we have the possibility of a real ideological truce now in health care. As the distinguished Senator from Rhode Island knows from our hearing in the Senate Budget Committee, we saw a real consensus emerging just in the course of that hearing. I think it is very clear that Senators of both political parties understand that to fix health care, we must cover everybody. If we don't cover everybody, people who are uninsured shift their bills to folks who are insured. So colleagues on my side of the aisle who made the point about getting everybody coverage, in my view, have been accurate, and clearly the country and citizens of all political persuasions have come around to that point of view.

But as we saw in our hearing in the Senate Budget Committee just recently, there is also strong support for something the Republicans have felt strongly about, and that is not having the Government run everything in health care. There ought to be a role for a healthy private sector, one where there is a fairer and more efficient market, and there ought to be more choices; in fact, a system much like Members of Congress enjoy today.

I am very pleased that I could join with Senator BENNETT of Utah, a member of the Republican leadership, in offering a bill based on just those principles. It is S. 334, the Healthy Americans Act, and it is the first bipartisan universal coverage bill in more than 13 years.

The distinguished President pro tempore of the Senate might be interested in some history. The last bipartisan, universal coverage health bill was offered by the late Senator Chafee—not his son but the late Senator Chafee—more than 13 years ago. So now we do have the opportunity for the Senate to come together on a bipartisan basis and deal with the premier challenge at home, and that is fixing American health care.

I and Senator BENNETT also believe there are some key challenges to bringing this country together to fix health care, and we believe through our legislation we have been able to address it. The first is how do you make sure folks who do have coverage today—and that is the majority of the people of our country—have a system that works for them. So often in the past they have said: Well, we are not exactly pleased with what we have, but the devil we know is better than the devil we don't know, and those folks in Washington, we don't know if they can organize a two-car parade, let alone fix American health care.

So the first thing Senator BENNETT and I said is for people who have insurance today, in Rhode Island, in Oregon, and elsewhere, we are going to take several steps to assure them that as part of fixing health care, we understand their needs.

The first is with the initial paychecks that are issued. If the Healthy

Americans Act is adopted, workers win and employers win. Workers win because they will have more cash in their pocket, and they will have more private choices in a fixed marketplace where insurance companies can't cherry-pick. And they will have lifetime security where no one can ever take their coverage away. Employers will win with the first paychecks as well because they will get out from under the staggering rates of cost growth in American health care.

We all know that employers in Rhode Island and Oregon and elsewhere see their premiums go up more than 13 percent annually—far in excess of the rate of inflation. We cannot have our employers compete in tough global markets when they sustain those kinds of premium hikes and the competition they are up against internationally has the benefit of government-run health care.

I think Senator BENNETT and I have been able to make the kinds of changes in our bill that show we have learned from some of the mistakes in the past—most recently in 1993 and 1994, when Congress last tried to fix health care. One area we focused on is to make sure we can get the savings through cost containment right at the outset.

A group called the Lewin Group—considered the gold standard of health policy analysis—has looked at our legislation, and they found we generated savings through our legislation with the cost containment needed to fix health care. First, we redirect the money that is spent in the Federal Tax Code. Today, more than \$200 billion is sent out through the Federal Tax Code so that if you are a high-flying CEO, you can go out and get a designer smile plastered on your face and write off the cost of that operation on your taxes. But if you are a hard-working woman who works at the corner furniture store in Rhode Island and your company doesn't have a health plan, you don't get anything. That is not right. So Senator BENNETT and I redirect the money under the Federal Tax Code to give the bulk of the relief to people in the middle-income and lower middle-income brackets, and the Lewin organization found significant savings in our doing that.

They also found significant savings on the administrative side because we have a one-stop sign-up process, and all of the essential transactions are done through technology transfers. Once you sign up, you are in the system forever. They found significant administrative savings through that.

The third area they found specific savings in is what is called the disproportionate share program, where hospitals and the Government have to pick up the bills for folks who come to hospital emergency rooms and have no coverage. Clearly, it would be much better to have those folks having private coverage targeted at outpatient services so they can get their health

care in a way that is better for them and better for their finances than to have them all flocking to hospital emergency rooms.

The fourth area in which we generate savings is by redirecting dollars that are now spent on the poor. In Oregon, we have more than 30 categories of coverage for poor people under Medicaid, so that poor people literally have to find a way to squeeze themselves into one box or another in order to find coverage—wildly inefficient and, frankly, pretty dehumanizing to those who participate.

The better way to go is to make coverage for low-income people automatic. Those who are of modest income would be eligible for a subsidy, but it would be for private coverage.

Finally, we secure savings through significant reform of the private insurance sector. Today, private insurance companies can cherry pick and take healthy people and send sick people to Government programs that are more fragile than they are. That would be barred under our legislation. There would be guaranteed issue. They could not discriminate against people with illnesses, so that in the insurance sector, under our bipartisan legislation, private insurance companies would compete on the basis of price, benefits, and quality, rather than who can find the healthiest people.

I see another colleague on the floor. I ask unanimous consent for an additional 60 seconds to wrap up. If my colleague will indulge me, I would appreciate it.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I talked with our colleague about health care, and I know he has an interest in a bipartisan effort. If the Senate begins with the children's health insurance program and we make it clear this is not some kind of Trojan horse for a Government-run health plan, but something that secures the needs for children, I think we can do this in a bipartisan way and then, in effect, segue into another bipartisan effort to fix health care that would get all Americans under the tent for quality affordable coverage.

Senator BENNETT and I have brought before the Senate a proposal, particularly on the basis of the hearing in the Senate Budget Committee 2 weeks ago, that we think can bring the Senate together, go where no Congress has been able to go since 1945, when Harry Truman made an effort to do it, and that is a rational system so that all Americans have quality affordable coverage.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 15 minutes.

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

Mr. DEMINT. Mr. President, before I begin my statement, I commend Senator WYDEN on his vision for health care and his passion for helping to equalize our Tax Code in a way that would help every American buy private health insurance.

EARMARK REFORM

Mr. DEMINT. Mr. President, I rise today to speak about the Senate earmark transparency rules that have not been implemented after so many months. As my colleagues know, we passed two new Senate rules back in January that would shine some light on the earmarking process. It would require us to be open and honest about how we spend American tax dollars.

Unfortunately, these Senate rules, which have nothing to do with the House of Representatives, have been held hostage so they can be gutted in secret when no one is looking. That is right; there are some in this Chamber who don't want to disclose their earmarks, don't want to certify in writing that they will not benefit financially from their earmarks. There are some who want to be able to continue the practice of adding secret earmarks to our bills in closed-door conference committees.

The earmark disclosure rule was originally offered this year as an amendment to S. 1, the lobbying and ethics reform bill. I offered this amendment because the disclosure requirements the majority leader included in his ethics reform bill only covered 5 percent of earmarks that we pass every year. I believed then, as I do now, that disclosure of only 5 percent of our earmarks is not reform and represents business as usual.

As my colleagues know, the leadership on the other side of the aisle originally opposed my amendment and actually tried to kill it. They said it was too broad and that the language, which came directly from Speaker PELOSI in the House, was rushed and therefore flawed.

The majority leader said on January 11:

... the distinguished Senator from South Carolina has said this is exactly like the House provision. I say to my friend that is one of the problems I have with it because I, frankly, do not think they spent the time we have on this.

The same day Senator DURBIN said:

But the DeMint language is actually unworkable because it is so broad. . . . Frankly, it would make this a very burdensome responsibility.

Fortunately, the Senate refused to table the amendment and the Democratic leadership was forced to support full earmark disclosure. To save face, the other side came with a slightly modified version that they said was better than the House language because it required 48 hours of notice on the Internet of all earmarks. We all agreed to this language and passed the Durbin Amendment 98 to 0.

The Democratic leadership immediately changed their tune once the bill was passed. The majority leader said on January 16:

In effect, we have combined the best ideas from both sides of the aisle, Democrat and Republican, to establish the strongest possible disclosure rules in this regard.

Senator DURBIN said:

I am pleased with this bipartisan solution. . . . I believe it reflects the intent of all on both sides of the aisle to make sure there is more disclosure.

Later in the debate, the Senate unanimously accepted an amendment prohibiting the practice of what we call airdropping earmarks in conference; that is, adding earmarks that were not included in either the House or the Senate versions of the bill. Again, we all agreed to this language and accepted it unanimously.

Unfortunately, that is when the public eye turned away from this issue and when the bipartisan support for earmark reform ended.

I came to this floor on Thursday, March 29—70 days after we passed the Senate earmark transparency rules—and asked for consent to enact them. But a Senator on the other side objected. The reason for his objection, according to several news reports, was that the other side of the aisle was caught off guard and was not properly notified.

Well, that sounded somewhat plausible, so I came back to this floor on Tuesday, April 17—89 days after we passed the Senate earmark transparency rules which, again, have yet to be enacted. A Senator on the other side still objected. But this time it was Senator DURBIN who objected—the very Senator who worked with me to author the new earmark disclosure rule. He objected to his own amendment being enacted. He said he did so because he didn't believe we should enact ethics reform in a piecemeal way.

But then the majority immediately announced it would self-enforce some of the new earmark transparency rules in a piecemeal way. They said they would allow each committee to decide if and how to disclose their earmarks.

The Congressional Research Service recently provided me with a review of all earmark rules being used in the Senate committees. The analysis shows that the rules have not been applied in many committees, and even those that have been created informally cannot be enforced on the Senate floor. According to CRS, only 4 out of 18 committees have even created an informal rule.

This shows what we all know to be true: The rules are being implemented in a piecemeal way, which is exactly what the other side said they wanted to avoid. It is clear we need a formal rule in place that applies to all committees. That is what we voted for at the beginning of the year when we wanted to show Americans we were going to address the culture of corruption in Washington, and that is what we need to do now.

I came down to this floor shortly before the July 4 recess to talk with the majority leader about these earmark rules. He wanted to go to conference with the House bill, S. 1, the ethics and lobbying reform bill, and I wanted to get his personal assurances that these earmark rules would not be watered down or eliminated behind closed doors. Unfortunately, the majority leader told me he could not give me those assurances, which was a clear sign that the folks working on this bill had plans to weaken the earmark transparency rules we adopted in January.

I tried again to get consent to enact these rules on Thursday, June 28, 161 days after they had passed, and again the other side objected. The reason this time, which was a complete departure from what they said before, was that the other side planned to work with the House to change the rules and that it was unreasonable for me to demand that they be protected.

The majority leader said:

There will be some things that will wind up being a Senate rule. Some things will wind up being a House rule. That is part of what the conference is going to work out. No one is trying to detract from anything that the distinguished Senator from South Carolina wants. But just because you want something doesn't mean that you are necessarily going to get it.

Senator SCHUMER echoed their desire to change the rules by saying:

... maybe there are things that other people might add; maybe there will be the kinds of legislative tradeoffs that will make a stronger ethics bill. We all have no way of knowing . . . To get 90 percent or 95 percent of what is a good package, most people would say yes.

And Senator DURBIN sought to belittle my effort to protect the earmark rules, saying:

It would seem that the Senator from South Carolina is carping on a trifle here.

And I was carping on his bill. There are three words to describe what is going on here, Mr. President: business as usual. This is one of the worst flip-flop reversals I have ever seen. Even the Senator from Illinois, the very person who had previously praised the new rules, minimized their importance and supported efforts to change them.

I realize the other side never liked these rules to begin with. After all, they did try to kill them. But I thought they had come around and were now supportive. I thought we agreed that earmark transparency was a reasonable step to begin changing the way we spend American tax dollars and to end business as usual. It now appears I was mistaken.

Mr. President, 172 days have now gone by since we passed the Senate earmark transparency rules, and yet a few in the Chamber still refuse to enact them. Instead, these objections offer more excuses—excuses that keep changing as time passes.

First they said the rules were too broad and the House wrote them incorrectly. Then, after the Senate leadership revised the rules to their liking,