Without their effort I could not have survived the political fire storm that burns around me.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:17 p.m., and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The Senator from Montana.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005—Continued

Mr. BURNS. Mr. President, we are setting the priority of amendments now and consulting. We will have that decision made in just a bit. We want to work on that. We have a lot of work to do this afternoon and on into the evening. There have been some changes as far as amendments that have been offered.

In the meantime, I ask unanimous consent that the Senator from Georgia, Mr. ISAKSON, be allowed to speak as in morning business for 10 minutes, followed by Senator MURRAY—how much time will the Senator need?

Mrs. MURRAY. Mr. President, 15 minutes.

Mr. BURNS. Fifteen minutes, and after that, Senator KERRY will be recognized, and Senator AKAKA needs about 10 minutes.

The PRESIDING OFFICER. The Chair, as a Senator from Ohio, would like to know where I fit into that schedule.

Mr. BURNS. Right after the chairman is done with his duties.

The PRESIDING OFFICER. Is that 3 o'clock?

Mr. BURNS. Yes.

Mr. DORGAN. Mr. President, if I might make a point, because of the way the order is established, it could be 5 minutes after 3, but the Senator from Ohio will be in line following the Senators who have just been described by Senator BURNS as having time. It should turn out 10 minutes, 15, 10, and 10, and it should turn out to be just about the time the Presiding Officer leaves the chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BURNS. First let me add something, if the Senator from Massachusetts will withhold?

Mr. KERRY. Mr. President, I wish to speak. It is a little longer than 10 minutes. I do not know exactly how long.

Mr. BURNS. Then the Senator will follow the Chair.

Mr. KERRY. I appreciate that. I will follow the Senator from Washington.

Mr. BURNS. And Senator VOINOVICH of Ohio, and Senator AKAKA is after Mr. ISAKSON. Mr. AKAKA, Mrs. MURRAY, Mr. VOINOVICH, and Senator KERRY—

Mr. KERRY. Mr. President, the understanding was the Senator from Washington, the Senator from Hawaii, the Senator from Massachusetts, and then the Chair. It should be around 3 o'clock, and if the Senate proceeds now, we should be able to get there.

Mr. DORGAN. Mr. President, let me see if we can clear this up without taking more substantial time. Senator ISAKSON wants to speak for 10 minutes in morning business. We decided following that Senator MURRAY would be recognized. She sought 15 minutes to speak on her amendment. Following that, Senator AKAKA was to have been recognized for 10 minutes. At that point, before Senator KERRY came in, we had indicated the Senator from Ohio would be recognized, and then Senator KERRY from Massachusetts has asked to be recognized without a time limit.

The one thing that is unclear to me is how much time the Senator from Ohio wishes. I know he wants to speak on his amendment.

The PRESIDING OFFICER. No more than 10 minutes.

Mr. DORGAN. I think we can lock all of that in understanding the Senator from Ohio could take the 10 minutes and then Senator KERRY from Massachusetts would be recognized. I think that actually works out to about 3 o'clock, in any event.

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

The Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank the chairman and ranking member for allowing me this time.

Mr. ISAKSON. Mr. President, I wish to take just a minute to address 48 extraordinary hours in my life this past weekend I spent with the men and women in the U.S. Armed Forces, first on Saturday in Ellijay, GA, at the funeral of 1LT Noah Harris of the U.S. Army, and then 24 hours later at Guantanamo Bay, Cuba, where I spent the day with U.S. Armed Forces in the work they are doing with the detainees in the war on terror.

I wish to do the best I can today to speak for those with whom I talked. I take responsibility for every word I say, but they are every bit a message from the people with whom I talked and who shared with me.

First, at the funeral of 1LT Noah Harris, I eulogized Noah on last Thursday and made a promise that I would make it to Ellijay, GA, on Saturday to be at his service. He was a distinguished Georgian, and like every other soldier who served and sacrificed, we mourn his death but we praise his service to our country. But this was an extraordinary funeral service.

A thousand Georgians—500 in the high school gym and 500 in the First Methodist Church—attended a 2½ hour service that passed in a microsecond, a service not by ministers but by laymen, Americans, citizens of Georgia to praise Noah Harris but also to praise our men and women in harm's way.

When the service came to a conclusion, it was his mother Lucy and his dad Rick who talked for the last 20 minutes. To honor what they said and their son to the best of my ability, I want to recount it to all of you.

Lucy stood up before that crowd of 500 and said: You know, when we got the word of Noah's death, I knew I had two choices: I could mourn and I could be sorrowful and I could grieve, and I have done all those, but I could also do the good and the godly thing, and that is to praise my son and all those other men and women who fight in Iraq on behalf of freedom and democracy.

She gave a beautiful and eloquent statement about the tribute her son's life was to that for which our men and women fight.

Then her husband stood up and asked rhetorically: What was it the American press is really writing about today? Everything you hear about what is going on in Iraq is negative and wrong, questioning our motives and our reasons for being there. Yet in this church in quiet Ellijay, GA, in northwest Georgia, thousands had come to honor a man who had sacrificed his life in harm's way for the people of Iraq and the principles of this great Nation.

Rick Harris asked the question: Have we forgotten 9/11? Have we forgotten that since that date there has not been an attack on American soil? Since we went after terror, wherever its exists, and since we committed the resources of our country, our Nation has been safer. And what we are doing is right—is not only right morally, but it is right for the future of peace and freedom and democracy.

So for Lucy and Rick Harris, on behalf of their son, I rise today in this Senate and send that message loud and clear that I got last Saturday from a thousand Georgians proud of their native son's service, sorrowful for his loss but appreciative of living in a country that has been willing to make the commitment we have made on behalf of freedom and democracy around the world and on behalf of the security of the United States of America.

And then, Mr. President, I went to Guantanamo Bay, Cuba. I went with two other Members of the Senate. I went with a specific desire in mind: the desire to go and see for myself that which I heard so many people talk about and have seen so much about on television.

I learned something very interesting. There must be two Guantanamo Bay, Cubas—the one I visited and the one all the news media talks about because they did not resemble one another. I thought when I landed at Guantanamo Bay and went to visit the detainees that I would see men incarcerated in cyclone fences with razor wire on top of it. That does not exist anymore. That was Camp X-Ray. It was closed 3 years ago. It was the original temporary place we took the enemy combatants to until we could spend the millions of dollars to build the buildings that now house them.

I saw 538 people who are intent on hurting and destroying Americans, who are incarcerated in a facility from which we are gaining intelligence that is saving lives of Americans and citizens around the world. The most hardened of those I saw are in air-conditioned facilities, not unlike what I have seen in the United States in sheriffs' jails and prisons. The food they eat is unbelievable. The medical care is first rate. The security is tight and, yes, they are controlled, but they are there because they are the enemies of our Nation and were captured in battle in the worldwide war on terror.

After seeing all those facilities and having totally dispelled that which television shows, I had lunch with two Georgia sailors. I promised them I would bring a message back to the Senate. They are on a 6-month rotation as guards guarding the enemy combatants, the terrorists who threaten America.

I asked them: If I could take back anything, what would you like me to do? They said: Please tell the American media to stop saying what they are saying about what we are doing in Guantanamo because what we are doing is right and what is being alleged is not correct. And tell them what we, the guards, the American soldiers, are subjected to.

The two gentlemen with whom I had lunch are two African-American citizens of the State of Georgia serving in the U.S. Navy. They go 12 hours on and 12 hours off, 4 consecutive days guarding enemy combatants. Every day, they have to take a shower more than once during their duty to wipe off and wash off the human waste that is thrown on them by the enemy combatants they guard. They are subjected to racial epithets that we in the United States would never accept. They continue to stay on their post and do their duty, and there is no harm to the enemy combatants. They are sitting there guarding the people who would take the lives of your loved ones and mine.

They are abused every day, and what is alleged by people in this Chamber and other places about what may or may not be happening at Guantanamo is not correct. The people subjected to abuse are the men and women in the Armed Forces of the United States who take it from those who would harm us and harm our loved ones.

They are standing guard in the front line in the war on terror. My time is about up, but I came to the floor for this time to deliver two messages. First, for Rick and Lucy Harris on behalf of their son, Noah, I hope I did an adequate job.

Second, to deliver the message by those two servicemen from Georgia, who stand on the front line of the war on terror guarding the enemy combatants from whom we are gaining the intelligence that is saving American lives; enemy combatants who are treated well, fed well, clothed well, and medically treated well; enemy combatants who would take the lives of our loved ones but because of the commitment of our President, this country, and the men and women in harm's way, are safely incarcerated, and from whom we are gaining the information necessary to win the global war on terror.

I hope tonight all Americans will watch our President on TV. I hope tonight in some small way the message I have brought back from those valued soldiers will help us to remain to stay the course against the war on terror for democracy and freedom and in support of this country, its leadership, and the liberty and freedom we all cherish and love.

I yield back my time.

The PRESIDING OFFICER. The Senator from Washington is recognized for 15 minutes.

AMENDMENT NO. 1052

Mrs. MURRAY. Mr. President, I rise today to speak to amendment No. 1052, an amendment offered by myself, Senator BYRD, and Senator FEINSTEIN regarding emergency supplemental funding for the Veterans Health Administration.

As my colleagues know, throughout the last 6 months I have been talking to this body about my deep concern that we were not going to have sufficient funding for our veterans, both our current veterans who are accessing the system, nor for our veterans who are now returning home in record numbers from Iraq and Afghanistan.

Throughout the budget process, I asked that we consider making sure we have additional funding. I was rejected in that request. Throughout the appropriations process, I have made it known time and time again that looking at what we know, we are not going to have sufficient funding for our veterans health care.

On the supplemental emergency bill, I offered an amendment to add an additional $1.98 billion for veterans services, and I outlined on this floor for all of my colleagues the exact numbers we were looking at as we went out and talked to our regional veterans administrations, as we heard the stories of shortfalls in every single place across this country, about service men and women who are waiting in line, about the high number of returning veterans from Iraq and Afghanistan who would need access to mental health care services for post-traumatic stress syndrome, and I asked that we add emergency supplemental funding because I knew, looking at the numbers, we had a shortfall.

On this floor, I was defeated on that amendment. Why? Because the Secretary of the VA, Secretary Nicholson, sent a letter to this body saying they had sufficient funds.

That was less than 3 months ago. Several weeks ago in the Veterans' Committee I asked the Secretary, when he was before us, if they had sufficient funding, and he told us they had adequate funding.

Last Thursday, to everyone's surprise, except a few of us, we were told that the VA is now over $1 billion short in funding this year. This is surprising to some, but it should be appalling to all of us.

As I told my colleagues when I was on the floor talking about the supplemental, we all know that the veterans in VA care have gone up by 88 percent. We know that medical inflation has gone up 92 percent. But the VA continued to go on a formula based on 2002 figures that did not adequately take into account our military who were going to be accessing the veterans services, nor the fact that we all know of medical inflation.

So here we are today, and it would be easy to say I told you so, but that is not going to solve the problem. So last Thursday, I called Secretary Nicholson. I said: How are you going to solve this problem? What are we going to do?

Well, he said to me that we were going to take the money out of maintenance and construction projects.

I would let every one of my colleagues know that all of them have VA facilities in their own States or in their own region that are serving our veterans today that need asbestos removal. There are new clinics that have been promised for years. There is maintenance due, long-term backlogs that have not been completed that we voted on in the 2005 appropriations bill and promised to our men and women back in our home States would be taken care of this year.

We cannot go back on that promise right now. Those veterans are waiting for that service. If we were to say, well, we have to suck it up and take the money out, that means we are just going to defer those costs until next year. If we are today basing our figures of the VA on 2002 numbers, then we know the $1.5 billion we are short this year is going to be multiplied by two or three times next year and those facilities will not be fixed.

So we have a problem. We have a big problem, and we need to address it now. I believe the best and most important way we can do that quickly is through an emergency supplemental bill passed through the House and Senate to get the VA the money they need to serve our veterans. This is an emergency.

None of our veterans who served in previous conflicts should be told that they have to wait 6 months or a year or 3 years. None of our veterans who are being served in our hospitals today should be looking at facilities that are falling down around them. None of our veterans who are coming home from Iraq and Afghanistan should be told that they do not have adequate care and we are not there for them.

I was just in Iraq 2 months ago and the first question that my soldiers from Washington State asked me is: Will my country be there for me when I get home?

The Senate has been responsible by passing a bill last year to begin to put

in place those contracts, maintenance, and important facilities projections. We cannot take that away now. Our only responsible choice remaining is to pass an emergency supplemental.

I have to say I am deeply concerned about how our VA came to this, and I am frankly quite angry. Less than 3 months ago, our VA said, no problem. Our VA, 2-plus weeks ago, said no problem, and now they tell us they are well over a billion dollars short this year. In fact, what they are saying is we can fix that; we can take $600 million from construction, as I just talked about.

We cannot let them do that.

The other $400 million they are talking about coming up out of a reserve fund. I have been on this floor before talking about this. There is not a reserve fund. I asked Dr. Jonathan Perlin. He is the VA's Acting Under Secretary for Health. I asked him on April 5th: Is there a $500 million reserve?

He said to me:

> No . . . I do not know where that might have been suggested, but there is no $500 million reserve that is sitting there for future projects.

So the White House's solution, the VA's solution, to take $600 million from construction and $500 million from this reserve account does not exist. Those are already part of our appropriations and there is no reserve account. So it is time for us to be responsible. It is time for us to face up to the fact that we have not been given accurate figures from this administration on veterans, and we need to act responsibly to pass an emergency supplemental.

I want to say that Senator CRAIG, the chair of the Committee on Veterans' Affairs, and Senator HUTCHISON, the chair of the Appropriations Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, have been responsible in the last few days by addressing this crisis. We have held a hearing this morning under Senator CRAIG's direction to hear from the VA what their solution was.

As I have said, that is simply unacceptable to me. It should be unacceptable to this Senate. I want to work with anyone to solve this problem. We have an amendment that is now pending. It is amendment No. 1052 to have an emergency supplemental to deal with this crisis. I know that my colleagues on the other side feel that we must address this as well, and I hope that we can work this amendment out and get it passed on the Interior appropriations, get it passed through the House and sent to the President so that our members who are serving us, both in previous conflicts and in Iraq and Afghanistan today, can look any one of us in the eye on the Fourth of July recess, when we all go home to march in parades and carry our flags, and we can say, yes, this country is there for you.

I can think of no more important issue that this body should address before the upcoming recess than this pending crisis before us. We owe it to the troops who have served us so honorably to be there for them when they come home. We cannot say to them that your clinics will not be built, that your hospitals will not be maintained, that there is a hiring freeze and you will not be seen if you show up.

We all have talked to generals who are in Iraq, and every member of this body knows that this is a 360-degree war. We have been told that time and time again. Our members in the military who are serving us in Iraq and Afghanistan do not have a front line to go behind to get some ease from this conflict. They are in this conflict every single minute of every single day that they are there, and as a result of that many of them will be facing emotional stress and post-traumatic stress syndrome when they get home.

It would be wrong of this country to tell those members who served us so well that there are no services for them when they come home. We have a responsibility not as a Republican, not as a Democrat, but as an American to be there for them. The most responsible way to do this is through this amendment with an emergency supplemental.

I think who said it best was George Washington back in 1789:

> The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.

I urge my colleagues to adopt this emergency supplemental funding, get it to the House, and get it to the White House so that we can address this crisis that has come before us. We can say a lot of stuff about the VA and why the numbers were wrong and why what we knew on this floor were not listened to and were not told to us honestly. We can spend time doing that, but I think the most important thing we can do is make sure this funding is there for our soldiers, and we do it through an emergency supplemental in a responsible way.

The President is going to address the Nation this evening. He is going to talk to us about the importance of staying the course in Iraq. Well, I would say to the President and to the Members of the Senate, when we send our troops to war, part of the cost of that is making sure we are there for them when they come home. I urge the President, when he addresses the Nation tonight, to tell us how this administration is going to be there for our soldiers when they return and work with us to pass this emergency supplemental as expeditiously as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 10 minutes.

MUTUAL FUND REGULATION

Mr. AKAKA. Mr. President, the Securities and Exchange Commission—SEC—has been impressively led by Chairman William Donaldson. Chairman Donaldson inherited an agency in turmoil. The previous chairman left an agency with limited effectiveness and demoralized staff. The SEC needed a vocal, imaginative, and forceful leader to restore the trust of investors.

Chairman Donaldson has accomplished much during his tenure, such as reform of the mutual fund industry, the implementation of Sarbanes-Oxley, the registration of hedge funds, while improving the integrity of exchanges. He has been the friend and protector of investors. Unfortunately, this has brought him a lot of criticism. I have been impressed by his ability to fight for what he considers to be in the best interests of investors and the public. I was deeply saddened when Chairman Donaldson announced his resignation. I am concerned about the future of the Commission after his departure.

In particular, I am worried about mutual fund reform. Mutual funds are of particular interest to me because they are investment vehicles that millions of middle-income Americans utilize that provide diversification and professional money management. Wealthier individuals can have their own investment managers and private bankers, or invest in hedge funds. Mutual funds are what average investors rely on for retirement, savings for children's college education, or other financial goals and dreams.

I was appalled by the flagrant abuses of trust among mutual fund companies that were discovered by New York Attorney General Eliot Spitzer and the SEC in 2003. Ordinary investors were being harmed due to the greed of brokers, mutual fund companies, and institutional and large investors. In November 2003, I introduced S. 1822, the Mutual Fund Transparency Act of 2003. I introduced legislation to bring about structural reform to the mutual fund industry, increase disclosures in order to provide useful and relevant information to mutual fund investors, and restore trust among investors. Several key provisions of the legislation were the requirements that mutual fund chairman and 75 percent of board members be independent. The transgressions brought to light made it clear that the boards of mutual fund companies are not providing sufficient oversight. To be more effective, the boards must be strengthened and made to be more independent. Independent directors must have a dominant presence on the board to ensure that investors' interests are the paramount priority.

I applauded the efforts of the SEC to adopt proposals that will improve the governance of mutual funds and that mirrored provisions from my legislation. Again, Chairman Donaldson and the majority of the commissioners have made great attempts to address the widespread abuse of investors by the mutual fund industry. The independence requirements are an important part of the Commission's response

that will ultimately lead to improved governance, better protect shareholders from possible abuse, and improve the transparency of fees. The SEC requirements for an independent chairman for mutual fund boards and an increase in the percentage of independent directors to 75 percent are significant steps towards ensuring that independent directors are better able to protect shareholders' interests. I believe that the Commission must go forward with the independence rule and address the concerns raised by the Federal appeals court.

Several of my colleagues have written to the Commission saying that the reissuance of the rule would be inappropriate. I respectfully disagree. It is not out of the ordinary for outgoing agency leaders to move rules forward prior to their departure. The uncertainy of the future of the independence rule for the mutual fund industry and of the outcome of the confirmation process, require that action be taken on the rule as soon as possible.

On May 16, I reintroduced a modified version of my original bill, S. 1037, to further strengthen the independence of boards, make investors more aware of the true costs of their mutual funds, and prevent several key reforms from being rolled back. Legislation is needed to ensure that the increased independence rule is applied universally among mutual funds, not just those that rely on exemptive rules.

I look forward to meeting with Representative COX to discuss mutual fund regulation, prior to consideration of his nomination by the Senate. It is my hope that Representative COX will be as aggressive in protecting investors as Chairman Donaldson has been.

I look forward to working with all of my colleagues to enact mutual fund reform legislation. I support the efforts to move the mutual fund independence requirements forward and appreciate all of the hard work of Chairman Donaldson and the SEC staff on this important issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I know the order we agreed on was to recognize the Chair. I do not want to abuse that process. I will talk beyond 3, but it will not be that extensive. I ask the Chair if it meets with his approval to change the order so that I speak now and the Chair will speak when he is relieved.

The PRESIDING OFFICER. How long does the Senator from Massachusetts seek?

Mr. KERRY. I can't tell you exactly, 15 or 20 minutes, somewhere in that vicinity.

Mr. BURNS. I will take the chair.

Mr. DORGAN. Mr. President, while we are waiting, I ask unanimous consent to add Senator JEFFORDS and Senator SALAZAR as cosponsors to the Murray amendment.

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

AMENDMENT NO. 1010, WITHDRAWN

Mr. VOINOVICH. Mr. President, I call up amendment No. 1010.

I ask unanimous consent the current order in terms of the amendment be waived so we can discuss this amendment at this time.

The PRESIDING OFFICER. The amendment is the pending business.

Mr. VOINOVICH. Thank you, Mr. President.

Mr. President, I rise today to discuss my amendment that will address an issue that is becoming a problem in my home State of Ohio and a number of other States nationwide—the explosive growth of Indian gambling.

I thank Senator ENZI, Senator DEWINE, Senator VITTER and Senator ALLARD for cosponsoring my amendment.

Currently, there are over 400 tribal casinos in 30 States. To build on the success of these tribal casinos, some Native American tribes are aggressively seeking to take gambling off reservations and into local communities all across the country—from States like California to New York, Oregon to Florida, and my home State of Ohio.

In this practice, commonly referred to as ''reservation shopping,'' tribes are looking to acquire new, non-contiguous land to open casinos near large communities or next to major roads with easy access.

A loophole in the law that regulates Indian gaming, the Indian Gaming Regulatory Act, allows the Department of Interior to take land into trust for a tribal casino, even at great distances from their home reservation, if it advances the economic interest of the tribe.

Originally, many reservations were located in rural areas at great distances from population centers. They were unable to sustain profitable casinos, so they moved casinos to areas near cities that were part of the reservation. Now these casinos aren't enough—the tribes are looking at lands great distances from their reservations and near population centers like Cleveland, Chicago, Miami, the Bay Area of California, to name a few.

In Ohio, the Eastern Shawnee Tribe of Oklahoma has filed a land claim in Federal court for 146 square miles throughout the State, alleging that this land was illegally taken in 19th Century treaties.

They have also reached an agreement with four separate mayors in the State to site casinos in their communities, stating that a casino complex would bring new jobs and increase the tax base. In announcing their lawsuit, the Eastern Shawnee announced they would also try to blackmail the State of Ohio—they will drop the land claim in exchange for the right to put an unlimited number of casinos in the State. The tribe's attorneys said the aim was not to seize cities and farms, but to negotiate a deal to open casinos where the tribe has been invited.

It is important to note here that the population of Ohio is more than three times the size of the population in Oklahoma, where the Eastern Shawnee already have a casino. The tribe sees dollar signs, dollar signs that they will make at the detriment of my constituents.

In response to the threat of reservation shopping nationwide, the Senate Indian Affairs Committee has held a number of hearings investigating the current issues, and Senator McCain, the Chairman of the Committee, has indicated that he will be offering legislation this Congress to address the reservation shopping created as an unintended consequence of the Indian Gaming Regulatory Act. It is my hope that his legislation will close some of the loopholes created by this law.

The amendment I have offered to the Interior Appropriations bill is simply a moratorium on taking land into trust by the Department of Interior for the purposes of gambling unless the Governor of a State specifically gives his consent. This moratorium will give Congress the time needed to pass thoughtful legislation that will protect States from the threat to States rights that the proliferation of these casinos will have.

Some of my colleagues may ask why I am opposed to the prospect of Indian casinos in Ohio. The answer is simple. This issue is really about families. Back when I was a State representative and just beginning my career in government, I was asked how I would confront the problems of Ohio if I had a magic wand.

My answer then was the same as it is now: I would use it to reconstitute and protect the family, which is the foundation of this country and the reason why most of us get up in the morning, go to work and hurry to get home at the end of the day.

In the late 1980s, when I was Mayor of Cleveland, the first attack against our families was mounted by the backers of what studies call the ''crack cocaine'' of gambling: casino gambling. Voters fought back at the polls in 1990. We defeated the effort to amend the Ohio constitution that prohibits gambling in Ohio, but it wasn't long before it surfaced in Ohio again.

In 1996, as Governor of Ohio, I was proud to lead a coalition of some 130 organizations, dozens of elected officials and thousands of individual citizens, in defeating State Issue 1, another effort to amend the Ohio constitution, the second ballot initiative that would have legalized casino gambling.

So here we are in 2005 and it's déjà vu all over again. It's a new millennium, but the same forces are back, but this time they are joined by the Shawnee tribe. They have regrouped and reappeared in different disguises.

This amendment, which just lasts one year, will guarantee that through

stealth this tribe and others can not sneak into the Department of Interior and get land taken into trust and abrogate the Ohio constitution. It also gives urgency to the work by Senator MCCAIN as he grapples to deal with the proliferation of reservation shopping around the country.

This amendment is supported by the National Governors Association. I ask unanimous consent that the letter from Ray Scheppach, Executive Director of NGA, be printed in the RECORD immediately following my remarks.

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

(See Exhibit 1.)

Mr. VOINOVICH. Mr. President, this amendment is opposed by Senator MCCAIN as chairman of the Senate Indian Affairs Committee. It is opposed by Senator MCCAIN, not because he is not concerned about the proliferation of Indian gaming, but rather because he believes this is within the jurisdiction of his committee and that he is already addressing the issue.

He has indicated he will give me a hearing on my amendment right after the July break. This issue of Indian gaming is a serious threat to the people of Ohio and other people throughout the country. It is an issue in terms of States rights and the States' Constitution and their ability to deal with the issue of casino gambling.

Mr. President, I respectfully withdraw my amendment.

EXHIBIT 1

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, June 27, 2005.

Hon. GEORGE V. VOINOVICH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR VOINOVICH: The nation's governors appreciate your efforts to ensure that states continue to play a meaningful role in the trust land acquisition process. The Governors are committed to working with Congress, the Executive Branch and Indian tribal governments to resolve the Complex issues involved in the implementation of the Indian Gaming Regulatory Act of 1988 (IGRA).

By requiring the consent of the governor before land can be placed into trust for gaming purposes, your proposed amendment would underscore the governors' role in the trust land acquisition process and in determining whether Indian gaming is consistent with existing state gaming policy.

Thank you for your continued leadership in support of a strong role for states in our federal system.

Sincerely,

RAYMOND C. SCHEPPACH,
Executive Director.

Mr. VOINOVICH. Mr. President, I would like to take this opportunity to express my continued concerns about the proliferation of off-reservation gambling by Indian tribes. I know that Senator MCCAIN is holding a number of hearings in the Indian Affairs Committee to investigate this issue. I urge him to act quickly on this issue. It is very important to my home State of Ohio.

Mr. MCCAIN, I understand the Senator from Ohio's concerns, and appreciate the Senator not calling for a vote on his amendment. I will be holding a hearing in the Indian Affairs Committee in July and would welcome Senator VOINOVICH to testify at that time.

Mr. VOINOVICH. I thank the Senator from Arizona for his leadership and accept his invitation to testify on this issue before his Committee.

The PRESIDING OFFICER. The Senator from Massachusetts. Let the Chair convey thanks to the Senator for his patience before making his presentation. It is appreciated very much.

Mr. KERRY. I thank the Chair.

Mr. President, if I may, Senator AKAKA had asked if he might make some comments on the amendment of Senator MURRAY, and so I would ask unanimous consent that I can yield to Senator AKAKA for 3 minutes and then hold the floor after that.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I thank the Senator from Massachusetts for yielding me the time.

I rise today in support of the amendment to rectify the funding crisis for VA health care. You heard Senator MURRAY expound on this eloquently. This morning, the committee held a hearing on the revelation that VA is more than $1 billion in the hole for this year. With the VA's announcement, we at least now have an admission that the VA hospitals and clinics are in the red, and this is the first step in turning things around.

Despite the tremendous pressure to keep quiet, VA's dedicated providers have been forthright with us about the fact that they were raiding capital accounts just to make ends meet. There seems to be some confusion about what kinds of projects will be done because of the $1-billion shortfall. We have asked for a specific list from VA and hopefully we will receive that shortly. At the very least, we are talking about deferred maintenance, and anyone who is familiar with the military knows that deferred maintenance means trouble for our troops. The same is true for a hospital or clinic. The purchase and replacement of equipment directly impacts the quality of care provided. Let there be no mistake about that. Deferring capital projects may also mean that needed clinics—and there are more than 120 clinics in the queue—will never come to fruition. My colleagues in the Senate will be familiar with this issue. Indeed, we raised the issue earlier this year on the Senate floor. Unfortunately, VA officials denied that trouble was ahead. Our amendment is a way to fix the problem. But let me say that I am open to any approach that ensures the highest quality health care for our Nation's veterans.

Mr. President, I yield the floor and thank the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 1029, WITHDRAWN

Mr. KERRY. Mr. President, I thank the Senator from Hawaii. Before taking time to speak in morning business, I have a couple of procedural items I need to do. One, I thank the Senator from Washington, speaking as a veteran and as somebody who has introduced an amendment that I am about to ask be withdrawn. In fact, let me do that if I may, Mr. President. I call up amendment No. 1029.

The PRESIDING OFFICER. The amendment is now pending.

Mr. KERRY. Mr. President, this is an amendment I had been working on in an effort to try to add money back to the VA, and I am delighted that the appropriators, led by Senator BYRD and Senator MURRAY, have undertaken to do that now. So I would ask unanimous consent—I am now a cosponsor of their amendment—that I withdraw this amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. KERRY. I thank the Chair. Senator MURRAY could not be more correct, and I thank her on behalf of veterans all across the country who understand how this game is affecting their lives. The fact is that this funding is one of the hidden costs of the war and now no longer hidden, and veterans are beginning to feel it and VA hospitals across our Nation. She has been a tireless, tenacious advocate on behalf of veterans, and we are all very grateful to her and grateful to Senator BYRD for their leadership.

(The remarks of Senator KERRY are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 1052

Mrs. MURRAY. Mr. President, I rise to speak briefly on the pending amendment No. 1052, which is the emergency supplemental funding for the veterans services which I spoke about earlier. I thank my colleagues, Senators AKAKA and KERRY, for their remarks.

Mr. President, I ask unanimous consent to add the following Senators to our amendment as cosponsors: Senators JEFFORDS, SALAZAR, BILL NELSON, DAYTON, ROCKEFELLER, and HARKIN.

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

Mrs. MURRAY. Mr. President, I will ask for the yeas and nays on the amendment at the appropriate time.

The PRESIDING OFFICER. Does the Senator ask for the regular order with respect to the amendment?

Mrs. MURRAY. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The amendment is now pending.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mrs. MURRAY. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have cosponsored the amendment offered by my colleague from Washington. I want to make a couple comments.

It seems to me, on the question of what the priorities are around here, what are the right choices, veterans health care has to rank right up at the top.

We had a hearing at one point. We had Secretary Rumsfeld come, and the Chairman of the Joint Chiefs. We asked a lot of questions about this issue because I think everyone wants the same thing. We want to say to young men and women who wear the uniform of this country: Please support this country's efforts. Go fight for freedom. Answer your country's call.

And when they do, and put themselves in harm's way—and most of us understand what ''harm's way'' means because we have been over to Walter Reed, we have been out to Bethesda Naval Hospital. We have seen these young men and women with lost limbs, limbs that have been blown off, and all kinds of other wounds. We understand the sacrifice that is made.

We asked the Secretary about the difference between someone who is a soldier on active duty and someone who has come home to a hospital to be treated for a lost leg or a lost limb or other devastating injuries and then is moved out of the service with a discharge—what is the difference between the level of health care for an active-duty soldier at Walter Reed or Bethesda and a veteran in a veterans hospital setting? Should there be a difference? No, there should not be. These are soldiers: active duty or retired, but soldiers.

I do not think there is a debate in this Senate about whether we adequately fund veterans health care. We all know the answer to that. The answer is no, we are not adequately funding it.

So the question is, will this be a priority? Will the Congress, will the Senate think this is as important as some other issues?

Someone once asked the question hypothetically: If you were asked to write an obituary for someone you had never met and the only information with which you could write that obituary was their check register, what would it tell you about the person? You could take a look and determine, what did that person spend money on? What did that person determine to be valuable?

You could make the same case with respect to the Federal Government. Take a look at the checkbook and evaluate, what did we determine was important? What were our priorities? Where was veterans health care, because we know the esteem in which this country holds its veterans? We know that starting with the poster that says ''Uncle Sam Wants You'' pointed to the face of Americans for decades to say: Join the service, represent this country, support and fight for it, fight for freedom. We know that call. But we also know a promise was made. The promise was, you do this for your country and, when you come back, we will have a veterans health care system available for you.

Some say—not publicly—why have a veterans health care system? Why not just have those folks go to a regular hospital? Especially after major wars, you don't ask that question because if you go to the veterans hospitals or Active-Duty hospitals that are treating these veterans, you will discover there is a kind of medical challenge that you don't find often in other hospitals.

I visited a young man at Walter Reed a couple times. I had appointed him to West Point. He is a proud member of the armed services. He went to Iraq. Because of an improvised explosive device, he lost his leg. He came back, was in Walter Reed, and went through a long period when they didn't know whether he was going to make it. He had a lot of infections and serious problems. He lost his leg right up to his hipbone.

Go visit those folks at the military hospitals or the veterans hospitals and understand these are different medical challenges than you find every day at the hospitals in the inner cities or the hospitals in the suburbs. I am not saying other hospitals don't face challenges. I am saying the wounds of war are deep, challenging. Go to the orthopedic section out here and understand the difference. It is a big difference.

I have told my colleagues about a Sunday morning at Fargo, ND. I will tell the story again because it is so important. It illustrates such an important point in support of my colleague.

A man served his country, left the Indian reservation when called during the Second World War and served. His name was Edmund Young Eagle—Native American, Standing Rock Reservation. He served in Africa, Normandy, Europe, served as his country asked him to, never complained about it. At the end of the war, he came back to the Standing Rock Indian Reservation, lived, had a tough life, didn't have a family of his own, loved to play baseball but had a tough life all of his life. Toward the end of his life, he went to the Old Soldiers' Home in North Dakota, and following that, he developed lung cancer.

His sister contacted my office and said: My brother has never had very much, but he was always very proud of serving his country and never received the medals he had earned for serving in Africa and Europe and Normandy during the Second World War. Could you help get his medals?

So I did. I got the medals that this Native American had never received from his country for going all around the world and fighting for America. By that time, Edmund Young Eagle was transferred to the VA Hospital in Fargo with advanced lung cancer. In his late seventies, on a Sunday morning, I went to his room at the VA Hospital with his medals. His sister came. The doctors and nurses from the ward came and crowded into Edmund's room. We cranked up his hospital bed to a seating position, and I pinned on his pajama top the medals that Edmund Young Eagle had earned fighting for his country in Africa, Normandy, and Europe.

This man, who would die 7 days later, said to me: This is one of the proudest days of my life.

He was a very sick man but enormously proud that his country had recognized what he had done for America in the Second World War some 50 years later.

The fact is, he and so many like him, particularly now, those Tom Brokaw called the ''greatest generation'' who went off to win the Second World War, beat back the forces of nazism and Hitler, the fact is they are now at an age where they claim an increasing amount of health care in their late seventies, eighties, and nineties. There is a strain on the VA medical health care system. Added to that, the Vietnam War and the age of those veterans, the gulf war, now the war in Iraq, this is a system that is straining at the seams.

My colleague offers an amendment. She has offered it before. I have supported it previously on many occasions. It says: Let us, on an emergency basis, decide as a country that veterans health care is our priority. Let someone years from now look back at what we spent money on and have some pride in knowing that we spent money on a priority that was critically important, a priority that said to us: We will keep our word to veterans. We promised health care, if you served your country. Now we are going to deliver it.

It is not satisfactory to me and to many others in this Chamber to decide that among a whole series of priorities, providing another tax cut is more important than providing health care or keeping a promise to veterans. That is not acceptable to me.

That is why I am happy to join. I mentioned a tax cut as one example. We tried to offer an amendment to the emergency supplementals that previously went through this Congress. We just had an $81 billion supplemental, none of it paid for. We have now a $45 billion emergency supplemental passed by the House that is coming this direction. My colleague from Oklahoma made the point that we have increased spending. We sure have increased spending. No question about that. Take a look at what has increased with respect to defense spending and homeland security spending post-9/11. I have not opposed that spending. I happen to think we need to replenish Army accounts when you send troops to Iraq. I happen to think we need more security at our ports and other places. But it seems to me logical that progressives, conservatives, moderates, everything in between at some point ought to decide to get together and say: If we are

going to spend this money, we ought to pay for it. Instead of doing that, we have done emergency supplementals.

My colleague from Washington is saying, if you are going to do emergency supplementals for everything, how about doing it for the first and most important thing, and that is keeping our promise to America's veterans.

Mrs. MURRAY. Will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mrs. MURRAY. I wanted to ask if the Senator was aware that when our amendment was offered on the supplemental, Senators on this floor were told by the VA that they didn't need the funding. And last Thursday, the VA announced that they were indeed well over $1 billion short for this fiscal year alone for VA funding. That is why I needed to offer this amendment on this bill, and hopefully the Senate will pass it. I hope it will pass unanimously tomorrow. Is the Senator from North Dakota aware that is the situation we are now in?

Mr. DORGAN. Was there a question?

Mrs. MURRAY. I was asking if the Senator from North Dakota was aware that during the consideration of the emergency supplemental, when we offered our amendment, we were told by the administration they didn't need the funding. And then last Thursday they announced that they were, indeed, as we had warned, well over $1 billion short. That is why we are offering this amendment.

Mr. DORGAN. Let me say, that is why I support the amendment. It is a question of priorities. I know everyone has their own view of what priorities might be. One of the top priorities ought to be keeping your promise to America's veterans. I appreciate the amendment being offered.

I ask unanimous consent that Senator DURBIN be added to the Byrd-Cochran amendment No. 1053 as a cosponsor.

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

Mr. DORGAN. I yield the floor.

AMENDMENT NO. 1002

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, it is about time we got down to business this afternoon and start taking care of some of these amendments. We would like to dispose of this bill at least by tomorrow.

I call up the Coburn amendment No. 1002 and ask for its immediate consideration.

The PRESIDING OFFICER. Does the Senator ask for the regular order?

Mr. BURNS. I ask for the regular order.

Mr. COBURN. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Is it not the offeror of the amendment who places in order the amendments that are called up and lays the other amendments aside?

The PRESIDING OFFICER. Any Senator can ask for the regular order.

AMENDMENT NO. 1015, WITHDRAWN

Mr. COBURN. Mr. President, I ask unanimous consent that amendment No. 1015 be withdrawn.

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

AMENDMENT NO. 1019

Mr. COBURN. Mr. President, I now ask unanimous consent to call up amendment 1019.

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

Mr. COBURN. Mr. President, I ask to be recognized in support of the amendment.

The PRESIDING OFFICER. The Senator is recognized.

Mr. COBURN. Mr. President, we just heard a good observation about the increase in spending, but it is important for the American people to understand, we did ramp up homeland security. We did ramp up defense. Let me read the increases in spending that have occurred in other areas since 2001: legislative branch, 40 percent; judiciary, 40 percent; Agriculture, 25.7 percent; Defense, 55 percent; Education, 109 percent; Energy, 48 percent; Health and Human Services, 53.1 percent; Homeland Security, 153 percent; Housing and Urban Development, 38.2 percent; Justice, 22.7 percent; Labor, Health, and Human Services, 57 percent; Department of State, 74 percent; Transportation, 40 percent; Veterans Affairs, 44.5 percent; General Services Administration, 404 percent; National Science Foundation, 61 percent. The average has been almost 39 percent in the last 4 years. Outside of homeland security and defense, the increase in spending by the Congress has been almost 30 percent.

I come to the floor of the Senate to talk about the spending problems. I also want the American people to understand what is happening to us presently. This chart represents the on-budget Federal deficit. It is not the games that we play in Washington. This is the true amount of money we are going to spend that we don't have, that we are actually going to borrow money to pay for. As you can see, this year it is going to be $544 billion. That is $544 billion that we are going to ask our children and grandchildren to pay back. There is no question that we have some belt-tightening to do. There is no question that the authors of this appropriations bill have done some of that in the bill.

The amendment I wish to focus on presently is an amendment that reduces funding for land acquisition within the bill by $121.2 million, from $154 million, for a total of $32.8 million.

The reasoning behind this amendment is, there is $92 million in reserve accounts right now to buy land that had not been spent this year. The committee put forward another $154 million. Buying land to preserve our scenic heritage, natural wildlife areas, is a good goal. The problem is, do we need to do it now when we are in a time of war, when we are borrowing from our children's future to be able to accomplish that? Is now the time to spend money on it? If not, is there another need? Is there a priority on which we should be spending?

I would say that we need to have another priority. The current bill provides funding for land acquisition through four separate programs: $12.3 million for the Bureau of Land Management, $40.8 million for the Fish and Wildlife Service, $56 million for the National Park Service, and $44.9 million for the Forest Service. Within the amendment, land acquisition funding for both the Bureau of Land Management and the Forest Service is eliminated, while funding for both Fish and Wildlife Service and National Park Service is reduced by $32 million.

According to OMB and staff estimates, the estimated amount of unobligated balances for Federal land acquisition at the end of the current fiscal year will be $92 million. OMB estimates that BLM will have $28 million in unobligated balances. In contrast, the bill provides an additional $12.3 million for BLM. U.S. Fish and Wildlife Service, which is set to receive almost $41 million, will have an estimated $32 million in unobligated balances at the end of this year, according to OMB.

Of the $121.2 million savings produced, $60 million in this amendment is transferred to a special diabetes program for Indians, and $61.2 million is transferred to the Alcohol and Substance Abuse Program. Both programs are with the Indian Health Service. Why is that important? There are some important things about diabetes with Native Americans that need to be recognized.

The question is, Do we spend money on land or do we spend money to improve the people's lives that need us the most? We have a real crisis in health care in Indian Country.

The causes are many, but one controllable factor is the delivery of federally funded health care services. Quality of care is severely impacted by poor oversight, lack of competitive forces, and the serious lack of funding prioritization. My amendment addresses the latter. There are 107,000 Native Americans that suffer from diabetes.

The PRESIDING OFFICER. Under the previous order, the hour of 3:45 having arrived, the majority leader is recognized.

TRIBUTE TO SENATOR MITCH MCCONNELL, THE LONGEST SERVING KENTUCKY REPUBLICAN SENATOR

Mr. FRIST. Mr. President, I rise today to pay tribute to a leader in the Senate, a true partner in guiding the 109th Congress and my friend. Today, we mark a momentous occasion for the senior Senator from Kentucky, MITCH MCCONNELL.

With the opening of Monday's session, Senator MCCONNELL surpassed the esteemed John Sherman Cooper as the longest serving Republican Senator in

the history of his State. Sworn in on January 3, 1985, Senator MCCONNELL has now served for over 20 years. For the last 2½ of these, I have worked side by side with MITCH in our capacities as leader and whip. I could not have asked for a steadier partner in guiding this Senate to accomplishment. Leading over 4 dozen strong-willed, independent Senators is not always easy. One of the things I like to say about the leader's job is that it is something similar to being the groundskeeper at a cemetery: You have a lot of people under you, but no one ever listens.

But more than anyone, MITCH is able to impress upon his colleagues the importance of working together to move America forward. MITCH and I work side by side not only as leader and whip, but also as Senators from the great States of Kentucky and Tennessee. Committed to the Union only 4 years apart, our States share the common interests of agriculture and commerce, a common culture of southern ingenuity, and hospitality, and a border over 320 miles long.

I have worked with MITCH on regional matters important to our States since I first entered this body in 1995. He is a fierce advocate for the people of his State, and I have watched him with admiration. Kentucky and Tennessee have a history of friendly partnership, and I am proud that MITCH and I work in that same spirit in the Senate.

MITCH and I have also both had the honor of being elected by members of our conference to chair the National Republican Senatorial Committee, the organization in this body charged with maintaining and building a Republican majority. MITCH chaired it from 1997 until 2001, and then he handed it off to me, from 2001 to 2003. Mr. President, there was never a smoother transition from one NRSC chair to the next than when MITCH turned over the keys to me in early 2001. Under his leadership, Republicans maintained control of the Chamber for over 2 election cycles under very extreme circumstances. When he passed the chairmanship to me, the NRSC was debt free, something almost unheard of, and in better shape than he found it. His legislative accomplishments are just as impressive.

Through his chairmanship of the Foreign Operations Appropriations Subcommittee, MITCH has shaped America's policy on promoting freedom abroad so strongly that he has become literally a hero in oppressed lands throughout the world. He believes in using American might to support democracy and civil institutions in nations that know neither.

He is not afraid to call the tyrants by their names. In Burma, an illegitimate junta has held Nobel laureate and democracy advocate, Daw Aung San Suu Kyi, under house arrest for the last 15 years. And 2½ years ago, she succeeded in sending a letter to Senator MCCONNELL through a very, very circuitous route. Let me say that it didn't just arrive in his mailbox. She told him, in her words:

> You have been such a stalwart supporter of democracy. We have come to look upon you as a rock-like friend.

Whenever MITCH gives a friend or a cause his support, you can count on him. MITCH has led the fight every year to impose import sanctions on Burma, to force its tyrannical government to free Suu Kyi and stop jailing and harassing the country's freedom fighters. His record on freedom, protecting our national security, and promoting democracy abroad has been crystal clear and consistent since his first days in the Senate.

One of his earliest votes upon entering the Senate was in favor of sanctions against the apartheid regime then in South Africa. Through the appropriations process, he provided authority and funds to conduct democracy-building programs in Syria, Iran, and China. He has always been a staunch supporter of Israel which, along with Iraq, is one of the few models of democracy and liberty in a region plagued by tyranny and intolerance.

MITCH was the author of language that forced Russia to withdraw its troops from the Baltic states of Lithuania, Latvia, and Estonia in 1994. Throughout decades under Soviet rule, those three countries never formally surrendered, and they maintained their embassies here in Washington, DC. Thanks to MITCH MCCONNELL, the home soil of Baltic states became just as free as those embassy grounds a little sooner than otherwise.

MITCH is a solid rock when it comes to supporting freedom here at home as well as abroad. Take his fight in defense of free speech and against the changes to our system of financing political campaigns known as ''campaign finance reform,'' that was one fight he ultimately lost. But even in losing, he won the hearts of his comrades as we watched him doggedly champion what he believed in—the first amendment and the right of every American citizen to have a free, unfettered voice in our democracy.

His good friend, Phil Gramm, our former Senate colleague from Texas, said on this floor:

> I don't know whether they will ever build a monument to the Senator from Kentucky, but he is already memorialized in my heart.

Senator Gramm, you are not the only one.

MITCH made his case with passion all the way up to the highest court. And when he lost there, he very graciously was the first to reach out and congratulate his long-time opponents and began healing the divide.

Mr. President, when I look at the impressive career of Senator MCCONNELL, studded throughout with so many successes—and, yes, a very few defeats, but always refueled again and again by his relentless energy—I have sometimes wondered, where does that drive come from?

Perhaps the answer lies 60 years in the past. MITCH's dad, A.M. McConnell, was fighting overseas in World War II. While he was away, 2-year-old MITCH contracted the dreaded disease polio. In 1944, before Dr. Jonas Salk invented his vaccine, polio very likely meant paralysis, sickness or death.

MITCH's mother, Dean, took her son to Warm Springs, GA, the polio treatment center that President Roosevelt established. Learning from the therapists there, she put him through a strenuous, tough regimen of physical therapy to save the use of his left leg. She made her son exercise his leg three times a day, and it was drilled into his head that to protect his leg, he had to refrain from walking on it. That hardly sounds like an easy reality for a typical 2-year-old. But she was successful. To this day, MITCH credits his mother with teaching him determination and tenacity.

Today, the world is virtually free of polio, with only about a thousand cases diagnosed every year. Most of those are in the developing nations. Through his subcommittee chairmanship, MITCH has appropriated over $160 million in the last 6 years toward wiping out the deadly virus. Those funds go to the U.N., The World Health Organization, and other agencies that take Dr. Salk's lifesaving vaccine into the world's poorest countries and deliver it to people who need it, bringing us closer and closer to eliminating polio once and for all.

No Kentucky history book would be complete without portraits of Henry Clay and Alben Barkley. Henry Clay dominated his State and this Senate in the 19th century and Barkley in the 20th. Well, I submit that MITCH will be viewed in the same light for the 21st century. Why? Because even with all of the accomplishments he has behind him, I predict that his greatest contributions are still ahead with his wife and life partner, who is a leader in her own right, Elaine Chao, at his side.

Like Clay and Barkley, MITCH speaks with a voice of principle. He is a rocklike friend to his fellow Senators, to this institution, to his State, to his country, and to defenders of freedom the world over.

I join my fellow Senators in congratulating my friend, the majority whip, on reaching this milestone.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Kentucky, Mr. BUNNING, is recognized.

Mr. BUNNING. Mr. President, I rise to pay tribute to my colleague from Kentucky, the senior Senator, MITCH MCCONNELL.

Today is somewhat of a historic occasion for my friend, this Senate, and the Commonwealth of Kentucky.

As of yesterday, our colleague, MITCH MCCONNELL, became the longest serving Republican Senator in Kentucky history. He surpassed the service of the legendary Senator from Somerset, John Sherman Cooper.

For over 20 years now—7,481 days, to be exact—MITCH has honorably served Kentucky.

In all that time, Kentuckians have been getting solid leadership and representation here in the Senate. MITCH is an effective and devoted legislator working hard on behalf of the bluegrass State. I could not have had a better partner in my fight for Kentucky.

Some of my friends may not know what kind of role MITCH has played in Kentucky's political scene. He has helped lead the fight to build the thriving, vigorous, two-party political system that Kentucky enjoys today.

MITCH MCCONNELL helped set the growth of Louisville—home of the Kentucky Derby—in motion over 20 years ago when he served as judge-executive of Jefferson County. Many of the initiatives he launched then to expand the city's economic growth and prestige have since borne fruit many times over.

In 1984, Judge MCCONNELL made history with his election to the Senate. He was the only Republican to defeat an incumbent Democratic Senator anywhere in the country. He was the first Republican to be elected statewide in Kentucky since 1968.

For a lot of people, that would have been enough. But not for MITCH. Thanks to him, 1984 was not just one election for one man. It was the beginning of an emerging and competitive two-party system in Kentucky.

Once upon a time, most Kentucky Republican organizations could hold their meetings in phone booths. I remember those days vividly and somewhat fondly because in the early 1980s, I was just one of nine Republicans in the Kentucky State Senate.

I bet that sounds good to some of my friends on the other side of the aisle, but in all seriousness, one-party rule is not good for anyone, including the party in power. If parties do not have to compete to sell their ideas, they stop coming up with new ideas and they get lazy. The people they serve are left without a voice because the people in power have no incentive to listen. I believe that to be true no matter which party is in power.

In the eighties, Senator MCCONNELL saw us all laboring under one-party rule and decided to do something about it. He helped recruit candidates to run, and he never shied away from explaining the Republican message every where he went. And he did it all with his trademark-focused determination.

Many of my colleagues know that once MITCH sets his sights on something, no one will outwork or outthink him in pursuit of his goal.

I am a witness to this. I first ran for the Congress in 1986, and I won. At that point, and in getting to know MITCH much better, it was already clear that MITCH had goals for Kentucky's Republican Party.

After helping to lay the groundwork for many years, these goals began to pay off. In 1994, we saw two Republicans—RON LEWIS and ED WHITFIELD—win seats in the U.S. House of Representatives that had been held by Democrats for years. In 1996, Congresswoman ANNE NORTHUP won another seat in Louisville held by a Democrat. Congressman Ernie Fletcher joined them in 1998, and Congressman GEOFF DAVIS, last year, won back my old fourth district House seat. Today, Kentucky sends a largely Republican delegation to Congress, and my colleague worked hard to help make that happen.

When I decided to run for the U.S. Senate in 1998, and when I ran for reelection in 2004, MITCH was there for me. His help was phenomenal and said so much about our friendship.

MITCH also helped influence Kentucky's State government. For decades, one party had a lock on the statehouse and the Governor's mansion, but that is not true today. Republicans gained control of the Kentucky Senate in 1999, and in 2003, they captured the Governor's mansion. I know MITCH was involved in these races to help build a viable two-party system in Kentucky.

MITCH has been a great friend in the Senate. In fact, he is my best friend in this body. But he has also been a great friend to the good folks of our Commonwealth over the last 20 years.

Last year, MITCH and I worked hard in the Senate on the passage of a tobacco buyout for our Kentucky tobacco farmers. This is one of the most significant events in the agricultural history of Kentucky. That tobacco buyout literally saved the livelihood of tens of thousands of Kentucky tobacco farmers, their families, and the communities in which they live. That old quota system that dictated to the farmers how much tobacco they could sell was broken. My office and Senator MCCONNELL received thousands of letters and phone calls from Kentuckians pleading for help. We answered their pleas and, MITCH, our Senate majority whip, had a major role in pushing this ball over the goal line.

Throughout my service in the Senate, I could not have asked for a better comrade in arms than MITCH McConnell. MITCH, is a fighter. When he is on your side, you feel unstoppable. When he is not, you know you have an uphill battle to fight. But he is always fighting for what he believes in and what is right. Kentucky is lucky to have him, and so is this Senate.

MITCH, I appreciate you, and I am proud to call you my best friend in the Senate. Congratulations on your milestone. You have my vote for Kentucky's political hall of fame.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). Under the previous order, the senior Senator from Kentucky, Mr. MCCONNELL, is recognized.

Mr. MCCONNELL. Mr. President, first, I extend my thanks to the majority leader for his exceptionally generous remarks about my service here, and I also want to take this opportunity to thank him for the extraordinary leadership he has provided over the last 2½ years. It has been a great pleasure working with the Senator from Tennessee almost every day as I try to assist him in conducting a chorus on our side that is occasionally slightly off key but, generally speaking, singing the same tune.

To my good friend and colleague from Kentucky, we share the same constituency. We have similar views on how America ought to be led. It has been a distinct pleasure, I say to my friend from Kentucky, to be associated with him, to enjoy his own electoral success, which has been quite extraordinary given the rather limited number of Republicans who have been elected to the Senate from our State. I thank him for his incredible, generous remarks.

Mr. President, I stand here today with a bit of disbelief. Forty-one years ago, as a young man long on desire but short on achievement and certainly devoid of connections, I met the man I considered to be one of the greatest Senators in Kentucky's history and certainly the greatest in my adult lifetime, John Sherman Cooper. I was 22 years old, had just graduated from the University of Louisville, and was intent—absolutely intent—on getting a Senate internship as the first step up what I hoped would be the ladder to a life of accomplishment.

Senator Cooper reached out and lifted me up to that first rung. He took me on as an intern in his office, and this was at a time when many Senators did not have internship programs at all. He gave me a chance to do that. I had the pleasure of being the only intern in the office and to stay for the entire summer—June, July, and August. So he became my boss, and he also became my mentor, and he became my friend. In fact, he was the first great man I ever met.

Now I stand in the same Senate Chamber as Senator Cooper, the longest serving Republican Senator in Kentucky's history, until yesterday. I am filled with gratitude for his helping hand, gratitude for Senator Cooper, and for a country where there are no limits to one's success.

Senator Cooper served for 7,479 days. My fellow Kentuckians elected him to this body five times. But Senator Cooper had a most unusual record of service. It was not unbroken, nor was he elected to a full 6-year term until his fifth race for the Senate. In fact, to serve his nearly 21 years he stood for election seven times. He won five and he lost two. He also lost a race for Governor before World War II. But he was never afraid to put himself before the people of Kentucky and be judged. He knew who he was and he knew where he stood. To borrow a phrase, he had the courage of his convictions.

To most Kentuckians, Senator Cooper was our emissary to places of power. I viewed him with simpler eyes. He was my hero. I learned more from him than from anyone else I have encountered in all of my years in public life. He taught me how to be a Senator. And he taught everyone who knew him

the value of integrity, forthrightness, and moral character.

Senator Cooper stood fast for what he believed was right, no matter how large the opposition and no matter what the cost, even if that cost might mean his seat in this Chamber. When President Andrew Jackson said, ''One man with courage makes a majority,'' he was talking about John Sherman Cooper.

I saw that firsthand during my summer here in Washington in 1964. That was the summer of my internship in the Senator's office. It was also the summer of the Civil Rights Act of 1964, and we all remember what a dramatic struggle that bill was.

Until that point, the Senate had been, for the most part, a graveyard for civil rights bills since reconstruction, courtesy of the filibuster. But as my generation was keen to say at the time, things were a-changing.

By mid-June of 1964, the Civil Rights Act had been debated in the Senate for 57 days. One Senator filibustered against it by speaking on the floor for over 14 hours. But not John Sherman Cooper.

Senator Cooper had advanced equality for every American citizen for his entire public life. In the 1930s, as county judge of Pulaski County in south central Kentucky, he felt moved to help his African-American constituents who were hit hard by the Great Depression just as much as his White ones who were equally devastated. He was known to take money out of his own pocket to buy a meal for a starving family of any color. In the 1940s, he was one of the first Kentucky circuit court judges to seat Blacks on juries.

In 1963, he tried to pass a bill barring discrimination in public accommodations. It was filibustered, just like all the others. He was determined that the 1964 Civil Rights Act would not meet the same fate.

Senator Cooper's office was besieged with mail from thousands who opposed the bill. Some just were not ready for this measure, although I am proud to say that things have come a long way since then.

Despite the considerable opposition back home, Senator Cooper never wavered. Steadfastly and with clear vision, he worked to get the votes to break the filibuster.

I must admit, seeing him stand his ground was a bit exciting for a young man. But I wondered how he could hold fast against such forceful opposition. So perhaps crossing the line of decorum between Senator and staff that existed in those days, I asked him one day: How do you take such a tough stand and square it with the fact that a considerable number of people who have chosen you have the opposite view? His answer is one I will always remember.

He said, ''I not only represent Kentucky, I represent the Nation, and there are times you follow, and times when you lead.''

From that one simple statement, I learned first-hand what I had never learned in school. Senator Cooper followed the Jeffersonian model of representative democracy: Put succinctly, the people elect you to exercise your best judgment.

He did not think a leader was someone who wet his finger and stuck it in the air to see where popular winds blew. He believed that even if voters don't agree with every position a leader might take, they would see that leader trying to do the right thing, they would respect that, and they would support him, or disagree with him and vote him out.

Senator Cooper believed that a leader should stand up for what he thought was right, regardless of the opposition, or the cost.

I think he stuck to this principle so firmly because he learned it the hard way. As I said, his career was filled with many peaks, but also a few valleys.

In 1939, he made his first bid for statewide office with a run for Governor, but did not even win the primary. He won his first statewide race in 1946, in a special election to fill a partial term in the U.S. Senate. But when he ran to hold the seat in 1948, the same electoral wave that propelled President Truman to a surprise second term, producing that famous ''Dewey Defeats Truman'' headline, also swept Senator Cooper and many other Republicans out.

It probably did not help that Kentucky's other Senator, Alben Barkley, the majority leader and a beloved Kentucky figure, was Truman's running mate.

Senator Cooper won his seat back in 1952, again for a partial term, when Gen. Dwight David Eisenhower sat atop the ticket. But he lost the seat in 1954, when he ran against the one Kentucky politician more popular than he, Alben Barkley, now a former Vice President running to return to the Senate.

He came back in 1956 to win his old Senate seat, and this time he held it until retirement in 1973. So he had three partial terms before ever being elected to a full term.

In 1966, his last election, he set a record for the largest margin of victory for a Republican in Kentucky history, a record that held for nearly 40 years until one of his former interns broke it in 2002.

Senator Cooper's peers on both sides of the aisle respected his wisdom and gravitas. But he was defeated by Senator Everett Dirksen for Republican leader in 1959, by a vote of 20 to 14—not exactly a cliffhanger as leadership races go.

Senator Cooper knew the bitterness of loss as well as the sweetness of victory. It is a sign of the respect he commanded, from both parties, that after every loss a new door opened, often as an important diplomatic assignment on behalf of the President of the United States.

After his defeat in 1948, President Truman asked him to serve as a delegate to the newly formed United Nations, alongside Eleanor Roosevelt. After his 1954 loss, President Eisenhower appointed him Ambassador to India, a crucial post, as this newly independent country was weighing whether to align with the free world or the Soviet bloc.

After his retirement from the Senate, President Ford called him back into public service to be America's first ambassador to East Germany. With all this diplomatic experience, I think Senator Cooper brought a perspective to foreign-policy issues that the Senate may have otherwise lacked.

As Senator Cooper's intern, I also had the pleasure of meeting his charming wife, Lorraine. Their marriage was proof of the old adage that opposites attract. Where he was soft-spoken, unpretentious, and humble, she was vivacious, full of good humor, and very much a member of high society. She threw many Washington parties, and in fact even though it was not a Washington party, I think I had my first glass of champagne courtesy of Lorraine Cooper.

Lorraine was not a native Kentuckian, and few would have mistaken her for one. When Senator Cooper ran in 1956, some of his aides recommended he campaign without her. He would hear none of it. Lorraine marched through every small, rural Kentucky town in her pinwheel hat and brocade dress, carrying a silk parasol and an emerald-studded cigarette holder, and they loved her.

At a diner in Berea, in central Kentucky, a woman admonished Lorraine for smoking at the lunch counter. ''Listen,'' Lorraine replied. ''I'm supporting the state's most valuable crop.''

The first Tennessean who was majority leader of the Senate, Howard Baker, likes to tell the story about Lorraine Cooper. Right after he was chosen Republican leader, the phone rang and it was Lorraine Cooper on the phone. She said: Howard, do you have time to see me?

He said: Well, of course.

So Lorraine Cooper got an appointment, came up to the Senate, walked into his office and sat down and she looked at him. She said: Now, Howard, do you have any money?

Senator Baker said: Yes.

She said: You need new clothes.

Then she got up and walked out.

Senator Cooper was a confidante to Presidents. He and Lorraine were the first dinner guests of John F. Kennedy after the latter's election to the Presidency in 1960. I know my good friend, Senator KENNEDY of Massachusetts, has said that his brother the President thought very highly of Senator Cooper, as did he.

Senator KENNEDY once said that Senator Cooper ''always brought light to the problem, rather than heat.'' What a wonderful description of this kind, thoughtful, wise and honorable man.

Let me add to Senator KENNEDY's description that Senator Cooper showed the same compassion and courtesy to the Kentucky farmer, to the Capitol Hill intern, or to the destitute of the Third World, as to the powerful and the mighty.

I know this from personal experience. One day in August 1965, I returned to Senator Cooper's office after completing my internship one year before. I was then a law student, having finished my first year at the University of Kentucky College of Law.

I was waiting to see Senator Cooper when suddenly he appeared and motioned for me to follow him. We walked together from his office in Russell 125 to the Capitol Rotunda, where I saw more people, and more security, than I had ever seen before. Then Senator Cooper told me what was happening: President Johnson was about to sign the Voting Rights Act that Senator Cooper had worked so hard and courageously to pass in 1965.

Sure enough, the President of the United States emerged. Every good biography of President Johnson describes him as a larger-than-life man, with an imposing physical presence. Let me testify right now that they are correct. President Johnson seemed to tower a head taller than anyone else in the room. He had a huge head, massive hands, and a commanding figure that immediately filled the Rotunda.

I was overwhelmed to witness such a moment in history, and moved that my hero, at the spur of the moment, had brought me to witness it.

I stayed close to Senator Cooper for the rest of his life. When I first won election to this body, Senator Cooper was retired and living in town. He invited me to stay at his home when I came to town to be sworn in. He would regularly come to my office to visit.

Harry Truman once said, ''If you want a friend in Washington, get a dog.'' It doesn't sound like he had a very pleasant introduction to Washington. Mine could not have been more different. Senator Cooper gave me, as a new Senator, the gift of his 20-plus years of experience. We remained close, even as his health began to falter near the end of my first term.

John Sherman Cooper died in 1991 at 89 years old. Kentucky lost a leader, and the Senate lost a valued friend. Somewhere in a small town in Kentucky, a young boy or girl eager to enter public service lost a hero. I lost all three.

If not for John Sherman Cooper, I would not be here today. If not for him, all of the lives he touched—the farmer and the businessman, the indigent and the rich, the white and the black, the powerful and the least among us—would have a little less justice, and slightly narrower horizons.

I stand here 2 days past the 7,479 days that grand gentleman graced this floor. To a kid whose dreams and ambitions greatly outstripped his means of ascent, I cannot begin to describe how that feels. It's humbling, and bittersweet. He looms in my memory. But I think of him today just as I first did on that bright day in 1964, a giant among men and a role model for life.

Thank you, Senator Cooper. You gave me more than I can ever repay.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BURNS. Mr. President, I do not know how one signs on to all of what was just stated by my friend from Kentucky. I can also compliment him in a couple of areas and say that I would not be here had it not been for him. I do not know if I should mourn or celebrate that.

Nonetheless, if anyone ever visits Kentucky and takes in the traditions of Kentucky, they will find out the former Senator was a part of that landscape and the present-day Senator is the same way. So congratulations.

Mr. MCCONNELL. I thank the Senator.

AMENDMENT NO. 1019

Mr. BURNS. I yield the floor back to the Senator from Oklahoma on his amendment where we were interrupted, amendment 1019, which is in order.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. We were in the midst of talking about whether we buy land or take care of diabetes with native Americans. That is what this amendment does. It is obvious we are not going to be able to trim the spending in this bill, but it certainly is not obvious that we cannot reprioritize.

Let me give some facts and figures on Native American diabetes compared with diabetes in every other group in this country. The national U.S. population rate for diabetes is 6.3 percent. For Native Americans between 45 and 74 years of age, it is 45 percent, 7 times the national average. The most extensively studied, the Pima Indians, an estimated 50 percent of that population suffers from type II diabetes.

Native Americans who have diabetes suffer from increased rates of kidney failure, amputations, blindness, heart disease, and stroke. End stage renal disease in Native Americans with diabetes is six times higher than any other group in this country. Diabetic retinopathy, i.e., blindness from diabetes, occurs in 24 percent of Native Americans who have diabetes. Only 2 to 4 percent of the diabetes in the Native Americans is type I; 98 percent of it is type II diabetes.

Alcohol and substance abuse is where the other half of this money goes. Nineteen percent of Native American youth age 12 to 17 are consuming alcohol at an alarming rate, headed for addiction; 12.8 percent of the young 12 to 17-year-olds engage in binge drinking. That is five or more drinks, weekly. HHS estimates that 7.6 percent of Native Americans over the age of 26 are classified as heavy alcohol users. American Indians are five times more likely to die of alcohol-related causes than other groups and they face significant increases in carcinoma of the liver and chronic diseases such as psoriasis.

Mortality rates from alcohol and substance abuse are seven times higher in Native American populations than in the general population.

This amendment does not cut funding. It simply moves money from land to people, moves money from the purposes of why we are here to care for those who cannot care for themselves. I would say in Oklahoma, it is very evident to see the underfunding for the Indian Health Service, the number of true full-blooded Native Americans who cannot receive care that was promised under treaty to get the care they need for their diabetes, for alcohol abuse, and other substance abuse.

This is a simple amendment. I understand a budget point of order is going to be raised against it because it spends money faster than the land acquisitions do. I plan on moving to waive that point of order, but I would say to my friends on the committee, and I would say to the people of America, should we be buying more land when we cannot afford it? And if we are going to spend the money anyway, should we not be spending that on something that is going to increase the quality of life and increase the health care of those who are least fortunate in our society?

I would also ask, having looked at this and then refer to the increased spending since 2001, how many Americans have received a 39-percent pay increase since 2001? That is how much Federal Government spending, discretionary spending—that is not Medicare, that is not Social Security, that is not Medicaid, but discretionary spending—has risen. It is time for us to tighten our belt. This is one way to move the priorities back to where they should be in terms of caring for real people, not land.

The other point that I would make is when we buy land it costs us twice. No. 1, it takes it off the tax rolls which decreases the amount of income coming to the States, local communities, and municipalities. But No. 2, it markedly increases costs to care for that land. With $92 million unspent from last year, we are going to spend another $40 million to $50 million to maintain that land and close the purchase.

With that, I yield to the chairman of the subcommittee and thank him for the time to allow me to present my case.

Mr. BURNS. I thank the Senator from Oklahoma. The argument is made there are very few of us here who do not look for extra funds to put into IHS, and especially in the diabetes program. We know that is important.

This year, the committee has included an additional $135 million to support Indian health services. This is the largest increase in many years targeted specifically at providing greater support for hospital and clinical services, dentistry, nursing, diabetes, and

other important health services. Funds for population growth and medical inflation have been included for the first time in probably a decade or more.

This increase comes at a time when most other agency budgets in the bill are not growing—in fact, many are declining. For example, EPA is reduced $144 million below their current year level; the Forest Service $648 million below; and the National Park Service, $52 million below. I point to these reductions both to underscore the commitment all of us share to improving health care in Indian country, but also to demonstrate that increases for any one agency come at the expense of others.

My colleague's amendment proposes to add funds to the special diabetes program. This program was initiated through the Balanced Budget Act of 1997 and reauthorized in December 2002 to provide $150 million annually for 5 years beginning in 2004. These are not appropriated dollars, it is a mandatory spending program for the prevention and treatment of diabetes within Indian communities. In addition to this program, the IRS itself spends over $100 million annually from within its appropriation to address diabetes treatment and prevention. There are also other programs funded outside this bill—the Centers for Disease Control comes to mind—that direct funds to Indian country for diabetes work. I mention these programs to highlight the fact there are significant resources being dedicated to diabetes work now with this committee's support and we are encouraged by the impact these funds are having in Indian communities.

Alcohol and substance abuse is another area where we are directing a substantial amount of funding into tackling this problem. This budget proposes a $6.3 million increase bringing the total for these efforts up to $145.3 million. Of this funding, 97 percent goes directly to tribally contracted or compacted programs. The committee has been an advocate for this program and has worked to increase funding over the years.

Funding levels for these two programs may not be in amounts that are ideal, but they are significant. Other programs of importance to our Members were proposed to take substantial reductions in the budget request, which we have struggled to restore. In the end, as I have said before, we have to strike a balance in this bill. I think the committee bill does a good job of hitting this balance and I urge Members to support the committee position.

Mr. COBURN. Will the Senator yield for a question?

Mr. BURNS. I yield for a question.

Mr. COBURN. There is no question a significant amount of money is being spent on these two programs, but when you compare it to every other group in this country, what you see is about $1 compared to $3 for everybody else in terms of diabetes. You cannot very well square that when there is six times the rate of end-stage renal disease in Native Americans. That is an important point because if you can prevent end-stage renal disease, you save $50,000 per year per person in not having them on dialysis, as well as the fact it is a miserable life being on dialysis.

So the point is that there are increases. I will recognize that. I still say how in the world can we justify buying land when we are stealing $541 billion from our grandchildren? And No. 2 is why not people instead of land? That is a legitimate question, especially in an underserved segment of our population that needs the dollars that will make a tremendous difference. I would just ask the Senator, can't we come to an agreement that a portion of this money should be moved to solve this very tragic problem that affects and afflicts Native Americans at a higher rate than any other group in this country?

Mr. BURNS. This bill has such a delicate balance that there could be—and I will raise it—a budgetary point of order. That is what we have to work with. The Senator from Oklahoma knows how to work with budgets and how we work with appropriations. It proposes to add $121 million to the Indian Health Service for a special diabetes program and an alcohol substance abuse program. The offset would be derived from an equivalent reduction in land acquisition. This transfer of funds results in a change of outlays that causes the bill to exceed its outlay allocation.

Now we might work on offsets in some other areas. As to the argument that you would make about land acquisition, we have always had land acquisition, but we have also had land sales. I wish I could stand here and report to you that we had as many sales as we have had acquisitions because I, for one, support the idea that there should be no net gain of land by the Federal Government. I come from county government. I know whenever the Government buys land, it takes it off the tax rolls. It hurts me as a county commissioner to provide all the programs that I have been asked to provide at the county level. In fact, we passed some legislation at one time when I first came here, which I was part of, of no net gain—or no net loss—whichever way you want to define it.

The way this is structured does raise a point of order, and I will raise that point. The pending amendment offered by the Senator from Oklahoma increases discretionary spending in excess of the 302(b) allocation to the Subcommittee on Interior and Related Agencies of the Committee on Appropriations. Therefore, I raise the point of order against the amendment according to section 302(f) of the Budget Act.

Mr. COBURN. Mr. President, I thank the Senator for his courtesy. I plan, in a moment, to move to waive the point of order, but before I do that I think every American ought to be asking the question this is $544 billion which we are going into the market and borrowing on budget this year, $544 billion that our kids and our grandkids are going to have to pay back at a minimum of 6 percent interest every year. So we are going to pay back about $2 trillion on this $544 billion. That is going to be about $70,000 apiece that we are going to wrangle their future with. And the question is, Should we be buying more land if we are going to put our kids in debt?

The PRESIDING OFFICER. The Parliamentarian advises that the point of order is not debatable.

Mr. COBURN. Mr. President, I move to waive the point of order.

The PRESIDING OFFICER. Does the Senator seek the yeas and nays?

Mr. COBURN. I do. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be. There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The motion to waive is debatable, and the Senator from Oklahoma is recognized.

Mr. COBURN. The question the American people have to ask themselves is, if we are going into hock and we are going to put this kind of lien on our kids, should we be taking money off tax rolls? Should we be spending more money to maintain the land? Or if, in fact, we are going to do this, should we not see an outcome that reduces our cost by reducing insulin dependence type 2, by reducing dialysis? I believe the choice is very clear, that we ought to be taking care of those who need us the most and not add land that is going to add cost. In fact we should, invest in those people where we are going to decrease the cost of the Indian Health Service. With that, I yield the floor.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

Mr. ROCKEFELLER. Mr. President, I had to be absent from the Senate today, and I missed votes beginning with the motion to waive the Budget Act with respect to amendment No. 1019, offered by my colleague from Oklahoma, Mr. COBURN. I had to miss the votes in order to travel to Charlotte, NC, to participate in a Base Realignment and Closing, BRAC, Commission Regional Hearing at Central Piedmont Community College. I am not absent from the Senate on days when we have votes without good reason.

This afternoon there was nowhere more important for me to be than at the BRAC Regional Hearing, which is part of the process whereby the fate of the 130th Air National Guard Wing, based in Charleston, WV, will be decided. I believe it is a crucial part of my duty as a United States Senator from West Virginia to protect the 130th. While I respect the difficult work done by members of the BRAC Commission, and understand that their preliminary recommendations were made in a good faith effort to improve the efficiency and efficacy of our armed services. However, I believe that gutting the 130th is wrong and I must make every effort to oppose it.

The 130th plays an important role in our national security, as well as the security of

the greater Washington area. It has also provided hundreds of National Guard personnel who responded to the call of duty in Bosnia, Afghanistan, and Iraq. In addition to 340 full-time Guard members, the 130th employs 201 federal technicians, and more than 80 active guards. The State of West Virginia also employs more than 50 State employees whose jobs depend on the continued presence of the 130th. At a time when enlistments and retention for both our National Guard units and regular Army are suffering, the 130th had 96 percent reenlistment, fifth in the nation. Every single job in West Virginia is sacred to me, and as these jobs also protect my home State and are a vital part of our military family and national security, I believe very strongly that they should not be cut.

With regard to the amendment by Senator COBURN, I believe he made very persuasive arguments about problems in Indian Country of diabetes and drug and alcohol addiction. When you consider that Native Americans from the ages of 45–74 have a rate of diabetes roughly seven times the rate for all Americans, and that drug and alcohol addiction is rampant, I believe most of our colleagues would feel that all that can be done to help the Indian Health Service—IHS—combat these plagues should be done.

However, we are in a time of severe fiscal constraints, and I commend the Interior Appropriations Subcommittee for successfully completing the difficult task of meeting so many priorities as best they could. The underlying bill contains about $100 million in appropriated funds for diabetes programs under the IHS, and there are more than $150 million available in mandatory spending in other programs targeted at the same problem. Similarly, the bill funds alcohol and drug abuse programs at $145.3 million. Senator COBURN would have shifted additional funding to those important causes by transferring funds to be appropriated for land acquisition. The bill contains only about $154 million for Federal land acquisition. While IHS diabetes and drug treatment programs surely could have benefited from an extra infusion of cash, it was also important to fund the land acquisition program at a reasonable level.

I will support efforts to adequately fund all programs of the Indian Health Service, and while I would have opposed the Coburn amendment, I commend him for his obvious and careful attention to this matter.

Mr. BURNS. Mr. President, I ask unanimous consent that this amendment be set aside. I believe the Senator from Oklahoma has another amendment.

AMENDMENT NO. 1053

Mr. DORGAN. Mr. President, I wonder if I might ask the Senator from Montana, my understanding is that we have a request from Senator BYRD, and I believe Senator COCHRAN, that on their behalf, the Byrd amendment, amendment No. 1053, be adopted by voice vote. My understanding is that both sides have had that request of Senator BYRD and Senator COCHRAN. I wonder if we might be able to accomplish that, I would ask the Senator from Montana.

Mr. BURNS. That is perfectly amenable to me. In fact, I would suggest the pending business be set aside and call up amendment No. 1053.

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

Mr. BURNS. I ask unanimous consent the amendment be adopted by voice vote.

First, the unanimous consent is to vitiate the yeas and nays.

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

The amendment (No. 1053) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mrs. FEINSTEIN. Mr. President, I am a cosponsor of the amendment offered by Senator BYRD and Senator COCHRAN to establish a Memorial to Martin Luther King, Jr. on the Washington Mall.

A memorial to Martin Luther King, Jr. in the heart of the Nation's Capital is a fitting tribute to a man whose vision and courage transformed the face of our Nation. Only a short distance from us here in the Capitol, Martin Luther King, Jr., delivered his famous ''I Have A Dream'' speech on the steps of the Lincoln Memorial. His inspirational words resonated with many Americans and helped spark the civil rights movement.

Dr. King started as a civil rights leader during the Montgomery bus boycott. Despite the bombings, arrests, and violence that Dr. King faced as a leader of this boycott, he continued to push for change. The Montgomery bus boycott successfully brought the glaring inequities facing African Americans to the fore of the American consciousness. In response to the boycott, the U.S. Supreme Court outlawed racial segregation on intrastate busses. However, as we know, Dr. King did not stop with this one legal victory.

Dr. King continued to tirelessly advocate for the principles of nonviolent protest as a means of addressing the injustices facing African Americans. Even in the face of tremendous opposition and cynicism, Dr. King persevered and helped concentrate the civil right movement's momentum for change. It is largely due to Dr. King's efforts that Congress rightly passed the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Over 4 decades later, I believe we are coming closer day by day to achieving Dr. King's dream, but still, more progress must be made. To memorialize Dr. King's dream here in our Nation's Capital would serve as a powerful reminder of the strides we have made but the steps we must still take together as a nation to weed out inequity.

I am pleased to have the opportunity to cosponsor this amendment with Senators BYRD AND COCHRAN to honor this great individual with a memorial in Washington, DC. The $10 million authorized by this amendment will help expedite the building of this memorial, which shall serve to remind future generations of Dr. King's sacrifices and his lasting legacy.

I urge my colleagues to support this amendment, and I ask unanimous consent that the full text of this proposed legislation be printed in the RECORD immediately following this statement.

AMENDMENT NO. 1003

Mr. COBURN. Mr. President, I call up amendment No. 1003. I would like to be recognized to speak on that amendment.

The PRESIDING OFFICER. The amendment is now pending, and the Senator from Oklahoma is recognized.

Mr. COBURN. I would like to call the attention of the Members to page 8 of the report language on the Department of Interior, Environment and Related Agencies Appropriations bill, 2006. No. 7 is entitled, ''Report Language.'' I think it is important that we understand what this says. It says:

> Any limitation, any directive or any earmarking contained in either the House or Senate report which is not contradicted by the other report, nor specifically denied in the conference report, shall be considered as having been approved by both Houses of Congress.

Mr. President, I do not have objection to that other than the fact that the American people, when the report comes out of conference, will have no way to measure the earmarks, the directives, and other things in that bill without that inclusion. This amendment requires that any limitation, directive, or earmarking be included in the conference report. This amendment is about sunshine so that if you get the conference report you can actually tell what is earmarked, what is directed, what is limited by the language that individual Senators have placed in the bill. I do not expect this amendment to pass. I understand that. But I think in one of the steps of us ever getting to the point where we do not leave this heritage of tremendous debt to our children, sunshine has to come in. And when we pass a bill out of conference, the conference report ought to say what is in there, just like it does when we have a conference bill on the Senate side or a conference bill on the House side.

The current report language actually abdicates our authority in looking at what the House earmarks or what the House limits as a body. We do not get a chance to look at that because it is not in the report language coming out of conference. I believe the Senate has a responsibility to vote on everything that is in that bill and have knowledge of everything that is in that bill. The only way a Senator will be able to know that is to take the House language in their report, filter through the Senate language, and figure out what is and what is not included.

This amendment requires that all provisions must be included in the conference report. It allows both the Senate and the House the opportunity to vote on all provisions, as opposed to only those which happen to pass through their respective Chambers.

I believe the American people expect us to do that. I believe this body was, in fact, intended to look at what the

House does. I believe the conference report ought to share what the House has limited, directed or earmarked for the benefit of individual Members or individual States, cities or otherwise.

So with that, I yield to the Senator from Montana and ask that he would support this amendment. It is a simple change. It is a change for open and more transparent Government. It is my belief that it is something we ought to consider.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. We all live by sunshine, I would tell the Senator from Oklahoma.

I think—I will have to ask counsel on this—whenever the House passes their bill and sends it to the Senate, and we take that bill to our committee, both the subcommittee and the full Committee on Appropriations, that House bill contains all of their earmarks. And some of those earmarks are covered up, agreed. But that bill is available for the Senators' perusal whenever it comes over here.

Now, most of these, however—recommended by the House and the Senate both—appear in the tables of the statement of the managers that accompanies that conference report. They are all there. All you have to do is kind of look for them. Some of them are not because the two bills are merged.

So in order to get the bills balanced out, merged, and back on the floor with a conference report—and you have to remember, the staff reads that whole bill, every word, before it is in its final form and comes back here for final consideration—some of those do get covered up. But in each body, all of those earmarks are a matter of public record, what goes on in their committees on the House side and the Senate side. This is to facilitate getting that report put together, the bill coming back on this floor, and getting it passed.

So what the Senator is asking for is more time between the time the House passes it, we pass it, it goes to conference, and then getting it back on the floor and full disposal of the conference report.

So it is not to hide anything. The way it is done is not meant to hide anything. And nothing is hidden. You just have to follow the trail in order to dig it out. And I realize sometimes the public would have a hard time doing that. But as a Senator, we even have to work at it at times. But, basically, that is the reason for the process: to save time, take some of the load off the staff that has to put this together.

So I would ask that the body oppose this particular amendment.

The PRESIDING OFFICER. The Senator from Oklahoma

Mr. COBURN. Mr. President, I think we are in a time when we can take the time to make sure the American public knows what is in the bills. As a matter of fact, I think it is wrong if we do not take the time. I read almost every bill. I am one of the few Senators who do. I can tell you that I will struggle through a House bill and then have to subtract out the conference bill to find out what was deleted from the House bill to be able to know what is and what is not there.

That is not sunshine for the American people. It is barely any sunshine for a Senator. I restate, the fact is, we ought to make it easy for the American people to find out where we are spending the money. A conference report that does not make it easy, does not direct where the money is directed, where the earmarks are, where the limitations are, is less than what the American people deserve.

This is a simple request. It will not add that much time. It is all printed out. In the conference, you all know what you are going to agree to and what you are not going to agree to. It is taking one computer screen: You punch ''copy,'' and it goes into the report.

So I would beg to differ with the chairman. I love him dearly. I think he is a great man. But I think the American people deserve to know what is in every report that comes out of here in terms of spending so they can make an evaluation: Are we doing the right thing mortgaging the future of our kids? Is it legitimate?

But to pass a conference report that does not give that pathway to them, for them to see and make that judgment, I think is wrong.

I think it will help us as the Senate, as we look at what the other body does, to put that in that report. I believe anything less than that says we do have something to hide. We may not have anything to hide. But not being very transparent and very clear about what the limitations, earmarks, and directives are in a bill is something less than what the American people deserve.

I ask the chairman again to reconsider his opposition to this amendment.

Mr. BURNS. Well, I will tell you, I have read those conference reports, also—even the bills that come over from the House—like you. If you have a clear paper trail, and you read everything, about 80 percent of all earmarks are contained in the conference report. There are just a few that are matched up, and we do not get to see them in the conference report.

Mr. COBURN. Will the Senator yield for a question?

Mr. BURNS. I will. I am still going to fight for the 20 percent. How is that?

Mr. COBURN. But the point is, don't the American people need to see that 20 percent? Shouldn't they be able to see that 20 percent?

Mr. BURNS. Sure. Listen, I helped pass a law with Senator LIEBERMAN on E-Government. Any citizen can go to their computer and dial it up online, and they can follow it all the way through. There are ways of doing that. I was part of that debate on E-Government. And we are going to do another E-Government bill that is going to open it up even wider, we would hope.

Mr. COBURN. Will the Senator yield for another question?

Mr. BURNS. Yes.

Mr. COBURN. Do you believe the average American can get on a computer, after this bill comes through conference, and see where all the money is spent?

Mr. BURNS. I would answer that by saying those citizens who are really, really interested in how we budget and how we spend do have the capabilities and the knowledge to access that information and to follow it.

Mr. COBURN. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

Mr. BURNS. Mr. President, 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.

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

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

AMENDMENT NO. 1002, WITHDRAWN

Mr. COBURN. Mr. President, I ask unanimous consent that amendment No. 1002 of the Interior appropriations bill be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

The Senator from Michigan.

AMENDMENT NO. 1052

Ms. STABENOW. Mr. President, I appreciate having the opportunity to speak for 5 minutes prior to the vote. I know we have two important votes that will be coming up shortly. But I did want to take this opportunity to indicate that I am very proud to be cosponsoring the Murray amendment concerning the important resources that are needed for veterans health care today.

The midyear budget review of the Department of Veterans Affairs confirmed what many of us have known for some time; that the VA is facing at least a $1-billion shortfall in meeting critical health care needs for the current budget, the 2005 budget. As a result, the VA officials say they are forced to take $600 million away from funds to improve VA hospitals and other infrastructure and to borrow $400 million

from funds already committed to provide health care during the next fiscal year. The end result is that the quality of health care for our veterans will suffer. Essential services and programs are now at risk. This is not acceptable. We need to act today to do something about it.

We are creating more veterans, as brave men and women come home from Iraq and Afghanistan and around the world. Over 360,000 veterans have already returned from Iraq and Afghanistan, and over 86,000 have sought health care from the VA. The VA's patient growth for this year rose by 5.2 percent, an increase of over 3 percent from their original projections. We have men and women coming home every day, changing one hat for another. They come home with the assumption that we will keep our promise to make sure health care is there for them.

We know there are an additional 740,000 military personnel also serving in Iraq and Afghanistan. This next generation of veterans will also be eligible for VA health care, putting further demands on the system. Continued funding shortfalls and rising costs have already resulted in unprecedented waiting times for veterans seeking care. In my State of Michigan, I talk with veterans who have to wait 6 months to see a doctor. This is simply not acceptable. The VA's enrolled patient population has increased 134 percent. Funding for the VA has only increased 44 percent.

It really isn't about funding. We know this involves dollars. The real issue is whether we are going to keep our promise to our veterans who have kept their promise to each of us in fighting for our freedoms. The President's budget fails to keep this promise. I was proud, as a member of the Budget Committee, to be involved in efforts to turn that around. In the budget process this year, we did offer an amendment that would have increased the dollars for veterans health care. That was not successful at the time. Now is the time that we can make this right.

I also mention that in the President's budget this year, instead of adding the dollars needed for our brave men and women who are coming home and putting on the veterans cap, we saw a proposal to double veterans prescription drug copays from $7 to $15 per prescription and an increase of $250 in an enrollment fee for more than 2 million of our veterans. I was pleased as a member of the Budget Committee to lead the effort that took that out of the budget that came before the Senate.

Unfortunately, we are seeing proposed cuts with the budget proposed by the President, deep cuts in our VA nursing homes and private homes, State VA nursing homes. We are seeing continued efforts to roll back dollars rather than increase them.

I hope what we will do long term is move our veterans health care funding over to be mandatory funding rather than having to go through the budget process every year. We know that our veterans put their lives on the line for us without question. They are not asking will those funds we promised really be there for them. They assume we will keep our promise. Every year, we are debating whether veterans health care is fully funded. Now is the time to make this a mandatory promise that we keep based on the needs of our veterans, not a debate about the budget. We need an emergency supplemental to address this crisis.

I am proud to be a cosponsor with Senator MURRAY. I commend her for the amendment. We also need to take a hard look at this year's budget priorities and ask why we are not putting our veterans at the top of the list.

I urge support for the Murray amendment. Then we must get about the business of making sure that we are getting it right for our veterans every year, that we are fully funding their needs, the promises we have made to each veteran who is serving us today, served us yesterday, and will serve us tomorrow.

I urge adoption of the Murray amendment and yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the amendment that I am sponsoring with Senators MURRAY and BYRD, to provide the Department of Veterans Affairs with an additional $1.42 billion in emergency funding to shore up dramatic new shortfalls in the VA health care system.

Our soldiers are returning home from Iraq and the front lines of the War on Terror by the hundreds, to begin their transition back to civilian life—and they deserve our assistance and respect.

In California alone, there have been nearly 100,000 men and women deployed to Iraq and Afghanistan, all of whom will be eligible for at least two years of VA medical services when they return.

Over 1,400 Californians have been wounded during operations in Iraq and Afghanistan. Many of these recent veterans suffered injuries that will require specialty care for the rest of their lives.

Moreover, many of our combat veterans could have mental wounds we are not even aware of yet.

A report issued by the Government Accountability Office in September of last year found that:

> Mental health experts predict that because of the intensity of warfare in Iraq and Afghanistan 15 percent or more of the servicemembers returning from these conflicts will develop post-traumatic stress disorder—PTSD.''

This is in addition to the veterans currently accessing the VA health care system.

And now, we have learned that the VA's budget forecast projections did not adequately provide for soldiers returning from Operation Iraqi Freedom and Operation Enduring Freedom.

How, if we know this, can we sit by and insist that there is no problem? This budget crunch is not just on paper.

In San Diego County alone, 4,000 more veterans have been treated by the VA this year as compared to last, and we are still three months from the end of the fiscal year.

This includes over 1,700 soldiers returning from combat in Iraq and Afghanistan. At the same time, the number of backlogs for appointments is growing, leading to longer wait times for veterans.

And the Los Angeles Times reported on March 20, 2005, that over the last decade, the VA hospital in Los Angeles has reduced the capacity of in-patient psychiatric beds from 450 to 90. Meanwhile, over the same 10 years, Los Angeles has seen an increase of 28 percent in mental health patients.

The crunch is coming and we need to start preparing. This amendment starts the preparation.

But I want to be crystal clear, this amendment only addresses needs this year. Much more work will need to be done in fiscal year 2006.

It appears that the fiscal year 2006 VA budget request also made use of similar data forecasting as this year's, making it highly probable that we will see a repeat of this shortfall next year.

Secretary Nicholson testifies today before the Senate Veterans Affairs Committee and acknowledge that the fiscal year 2006 budget request is insufficient. We look forward to the Administration's budget amendment for fiscal year 06 to deal with this problem.

Clearly, we will have a lot of work to do in the fiscal year 2006 appropriations process. In the meantime, this amendment would add needed funding this year and help to alleviate the budget problems we are seeing in VA hospitals across the country.

In closing, I would only add that this is not a Democrat issue and this is not a Republican issue. This is an issue that goes to the very heart of how we treat those men and women who have fought bravely on behalf of our nation and we need to be unified in showing them our support.

I respectfully urge all of my colleagues to vote for this amendment.

Mr. KERRY. Mr. President, George Washington said more than 215 years ago that, ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the Veterans of earlier wars were treated and appreciated by their country.''

Today, our veterans are appreciated, but we learned last week that they are not necessarily treated adequately when it comes to healthcare. The Department of Veterans Affairs, VA, disclosed it needs at least an additional $1 billion to provide healthcare to our Nation's veterans. If we don't do something about it, our veterans will be in jeopardy of having necessary healthcare delayed or even denied due to lack of funds. We must

address this situation without delay. Our troops risk their lives every day defending freedom, and sacrificing to keep us safe. If we fail to meet our responsibility to them, and provide them the healthcare they need, we fail to honor their service.

I hope my colleagues will join me in supporting Senator MURRAY's important amendment to immediately cover this shortfall by providing $1.42 billion to the VA for veterans' healthcare under an emergency designation so we can ensure today's veterans receive the benefits they have earned fighting in Iraq and Afghanistan. I hope that none of us would tolerate the injustice of soldiers who have bled for our country being denied the medical care they need.

While the VA is replacing the lost funds, they do so at a great cost. The VA is cutting corners by squeezing other accounts. Those accounts provide funds for non-recurring maintenance and equipment—funding critical tasks like repairing leaky roofs, or purchasing equipment ranging from photocopiers to defibrillators.

Our VA hospitals should be shrines of gratitude to those who have borne the battle. They should not want for anything—not new roofs, not photocopiers—and most certainly not defibrillators.

At a time when a new generation of veterans is returning from war, set to use the VA in historic numbers, I hope that we will heed the words of Commander James E. Sursely. Commander Sursely spoke for the 1.2 million members of the Disabled American Veterans organization when he called upon Congress to ". . . act quickly to stem the flow of red ink that threatens health care for today's veterans and thousands of men and women injured or disabled during the wars in Iraq and Afghanistan."

Our veterans are humble Americans who every day exude the quiet strength that comes from having served their country when it needed them. Today, they need us. I ask all my colleagues to join me in supporting the Murray amendment, and do right by our veterans without delay. Let's not waste another moment in answering this call. Let's fill this gap now. Let's meet their need. Let's not forget that a new generation of veterans is watching to see what we do today.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Montana.

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate now proceed to the vote in relation to the pending motion to waive with respect to the Coburn amendment No. 1019, to be followed immediately by a vote in relation to the Coburn amendment No. 1003, with no second degrees in order to the amendments prior to the votes and with 2 minutes equally divided for debate prior to the second vote.

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

AMENDMENT NO. 1019

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act in relation to amendment No. 1019. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. DEMINT), the Senator from North Carolina (Mrs. DOLE), and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I also announce that the Senator from Connecticut (Mr. DODD), and the Senator from Connecticut (Mr. LIEBERMAN) are absent attending a funeral.

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

The yeas and nays resulted—yeas 17, nays 75, as follows:

[Rollcall Vote No. 159 Leg.]

YEAS—17

Akaka	Inhofe	Reid
Brownback	Kennedy	Specter
Coburn	Kyl	Stevens
Conrad	McCain	Thune
Dorgan	Murkowski	Wyden
Enzi	Nelson (NE)	

NAYS—75

Alexander	DeWine	Lugar
Allard	Domenici	Martinez
Allen	Durbin	McConnell
Baucus	Ensign	Mikulski
Bayh	Feingold	Murray
Bennett	Feinstein	Nelson (FL)
Biden	Frist	Obama
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Roberts
Bunning	Harkin	Salazar
Burns	Hatch	Santorum
Cantwell	Hutchison	Sarbanes
Carper	Inouye	Schumer
Chafee	Isakson	Sessions
Chambliss	Jeffords	Shelby
Clinton	Johnson	Smith
Cochran	Kerry	Snowe
Coleman	Kohl	Stabenow
Collins	Landrieu	Sununu
Cornyn	Lautenberg	Talent
Corzine	Leahy	Thomas
Craig	Levin	Vitter
Crapo	Lincoln	Voinovich
Dayton	Lott	Warner

NOT VOTING—8

Burr	Dodd	Lieberman
Byrd	Dole	Rockefeller
DeMint	Graham	

The PRESIDING OFFICER. On this vote, the yeas are 17, the nays are 75. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 1003

The PRESIDING OFFICER. By agreement, the next order of business is Senator COBURN's amendment No. 1003, with 2 minutes evenly divided prior to a vote on the amendment.

The Senator from Montana.

Mr. BURNS. Mr. President, I urge the body to not support the amendment offered by my good friend from Oklahoma. Everything is listed in earmarks either in the House bill or the Senate bill. The conference report misses some of them because they overlap. I ask the body not to support this amendment and support the committee.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, the point I wish to make is the American people deserve to have sunshine on everything we do. The conference report would not adequately reflect the earmarks in the House, the directives in the House, or the limitations in the House. We are going to be voting on the bill without the knowledge of what those limitations or earmarks are.

I would like to turn for a second to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, if we are going to put any kind of brake on earmarking and some of the subterfuge that exists of putting earmarks into conference reports which are then interpreted by the agencies affected as mandatory, the amendment of the Senator from Oklahoma should be adopted.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 1003. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. DEMINT), the Senator from North Carolina (Mrs. DOLE), and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I also announce that the Senator from Connecticut (Mr. DODD) and the Senator from Connecticut (Mr. LIEBERMAN) are absent attending a funeral.

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

The result was announced—yeas 33, nays 59, as follows:

[Rollcall Vote No. 160 Leg.]

YEAS—33

Akaka	Dayton	Levin
Alexander	Ensign	Lugar
Bayh	Feingold	McCain
Biden	Feinstein	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Boxer	Inhofe	Schumer
Cantwell	Isakson	Sessions
Clinton	Kerry	Specter
Coburn	Kohl	Stabenow
Cornyn	Kyl	Sununu
Corzine	Landrieu	Wyden

NAYS—59

Allard	Bennett	Bunning
Allen	Bond	Burns
Baucus	Brownback	Carper

Chafee	Hatch	Reed
Chambliss	Hutchison	Reid
Cochran	Inouye	Roberts
Coleman	Jeffords	Salazar
Collins	Johnson	Santorum
Conrad	Kennedy	Sarbanes
Craig	Lautenberg	Shelby
Crapo	Leahy	Smith
DeWine	Lincoln	Snowe
Domenici	Lott	Stevens
Dorgan	Martinez	Talent
Durbin	McConnell	Thomas
Enzi	Mikulski	Thune
Grassley	Murkowski	Vitter
Gregg	Murray	Voinovich
Hagel	Obama	Warner
Harkin	Pryor	

NOT VOTING—8

Burr	Dodd	Lieberman
Byrd	Dole	Rockefeller
DeMint	Graham	

The amendment (No. 1003) was rejected.

Mr. BURNS. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1026

Mr. BURNS. Mr. President, we decided to call up amendment numbered 1026, the Sununu-Bingaman amendment regarding the Tongass National Forest.

The PRESIDING OFFICER. The amendment is now pending.

Mr. BURNS. There is no time agreement on this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, this year marks the 100th anniversary of the founding of the U.S. Forest Service. The creation of the Forest Service in the Department of Agriculture is remembered as probably one of the most significant conservation legacies of President Theodore Roosevelt.

During President Roosevelt's tenure, there were established 5 new national parks, 51 bird reserves, 4 game reserves, 18 national monuments, and 150 national forests, including the Tongass National Forest. All told, some 230 million acres of land was set aside for the public. It is no wonder that President Roosevelt is regarded not only as the first but perhaps the greatest conservation President.

President Roosevelt shared his vision for the national forests in an address to the Society of American Foresters on March 26, 1903. Here is what he said:

> First and foremost, you can never afford to forget for one moment what is the object of our forest policy. The object is not to preserve the forests because they are beautiful, although that is good in itself. Nor because they are refuges for the wild creatures of the wilderness, though that too, is good in itself. The primary object of our forest policy . . . is the making of prosperous homes. Every other consideration comes secondary. A forest that contributes nothing to the wealth, progress or safety of the country is of no interest to the Government, and should be of little interest to the forester.

He further said:

> Your attention must be directed to the preservation of forests, not as an end in itself, but as a means of preserving and increasing the prosperity of the nation.

I find it somewhat ironic that during the centennial year when we celebrate the achievements of the Forest Service and the professional foresters who manage these forests, that this particular amendment is offered today. This is an amendment opposed by the Society of American Foresters. This society represents 16,000 professional foresters from across the Nation. It is opposed by the National Association of Home Builders. It is an amendment opposed by the very people who were identified as the core stakeholders of our national forests by the Roosevelt administration.

This amendment is opposed by organizations which, like President Roosevelt, believe in the wise use of our forests. It is opposed by the National Association of Counties. It is opposed by America's working men and women who belong to the labor unions that make up the Forest Products Industry National Labor Management Committee. We have the International Association of Machinists and Aerospace Workers, the PACE International Union, the International Brotherhood of Carpenters and Joiners, the United Mine Workers, the Southern Council of Industrial Workers, and the Association of Western Pulp and Paper Workers.

The amendment we have before the Senate now does not comport with President Roosevelt's vision for the national forests. It is an amendment that turns our national forests, which are intended to support multiple uses, into wilderness areas. It is the falling domino in the nationwide campaign to lock up our national forests, throwing people out of work and wreaking havoc on our local economies. And most offensively, to me, it is an amendment that discriminates against just one forest—the Tongass National Forest, in the State of Alaska. It is only directed to the Tongass. It covers no other national forest in the Nation. I suggest to my colleagues in the Senate that first it is the Tongass; next it will be the forests in your home States.

Even though this amendment is cloaked in the language of fiscal responsibility, it should come as no surprise that the usual suspects are working hard for its adoption—those who seek to shut down and to prohibit any timber activity on national forest lands. It is not that they are fiscal conservatives themselves. It is because they specifically oppose logging in the Tongass. These are groups such as the Wilderness Society, the Alaska Rain Forest Campaign, the National Resources Defense Council, Friends of the Earth, Sierra Club, Earthjustice, formerly known as the Sierra Club Legal Defense Fund. These are organizations that have just said no, there shall be no timber activity in the Tongass.

The Sierra Club Legal Defense Fund, now known as Earthjustice, is a group that maintains an office in Juneau for the purpose of appealing and then litigating the timber sales that are presented in the Tongass.

It is no wonder the Forest Service finds it difficult to efficiently manage the timber program in the Tongass. I am told we have about 2 years of the Forest Service planned timber offerings that are either under appeal or litigation at any one time. This is four times the rate experienced by the Forest Service nationally.

It is fair to say the professional foresters, in whom President Roosevelt placed his trust, no longer manage the timber in the Tongass. I can tell you these professional foresters are very frustrated that what we have are trial lawyers and judges who have more to say about managing our forests than they do.

The proponents of this amendment will tell you this is about making the free market system work within our national forests. As long as the litigators can tie up the timber sales, tie up the forest management in knots, this is not a free market scenario.

When Congress passed the Tongass Timber Reform Act, which caused the cancellation of long-term contracts and the closure of the pulp mills in Ketchikan and Sitka, that was not the free market. It was not the free market that eliminated thousands of timber jobs in the State of Alaska. It was about timber politics, plain and simple.

It is not the free market that generates the high costs that the proponents of this amendment complain make the timber sales unprofitable. According to the Society of American Foresters, about 75 percent of the cost associated with timber sales in the Tongass is spent on environmental review, appeals, and litigation. So the remaining 25 percent of that is spent on actual preparation and administration of the sale.

So again, you look at the numbers, and you say, it seems, looking at just the columns, the numbers are higher. But keep in mind, 75 percent of those costs are directly associated with the environmental review, appeals and litigation. So we need to be very clear about what this amendment does. If it is passed, it essentially will enact a roadless rule on the Tongass National Forest. Because the Tongass is currently 95 percent roadless, and because it has stringent environmental standards, the amount of timber that could be harvested from the Tongass would be vastly reduced.

The current 150 million board foot program—and keep in mind, this was formulated after a very extensive scientific consultation, with public participation. It was a process which took 9 years and $13 million to complete this plan. Under this program that again was formulated in this very lengthy process, it would be reduced to 30 to 40 million board feet. This would result in the direct loss of two or more of the mills and loss of about 680 potential jobs.

Now, some of you may be saying: Well, 680 jobs does not seem that significant. In the southeastern part of

the State of Alaska, where our population numbers are few and our unemployment numbers are very high, this is a huge loss. This is a devastating loss. This would truly be nothing more than the latest chapter in the campaign to shut down the Tongass and kill off the timber industry in southeast Alaska.

Now the proponents of this amendment would have us believe that if this amendment fails, then somehow or other there are going to be all these big corporations that stand to gain. But the timber industry in southeast Alaska is not made up of big corporations. It is made up of mom-and-pop businesses. These are owner-operated small businesses run by people such as Steve Seeley, out of Ketchikan; Kirk Dahlstrom, out of Klawock; Butch and Jackie DuRette. These are real people who are contributing to their local economy. These are people who could have cut and run when the timber industry turned sour, but instead they accepted the risk. They stayed around, and they tried to build their businesses. Believe me, these are people who know what the free market is. I know these people, and I am proud to tell you of the good job they do contributing to the economy of southeast Alaska.

So for the good of southeast Alaska, and for the good of sound forest management, I ask my colleagues to look at this amendment, look at it very carefully, look at who it is opposed by. It is opposed by the Nation's professional foresters. It is opposed by working men and women. It is opposed by the National Association of Counties. And it is opposed by our Nation's homebuilders. Let's look carefully at how we manage our forests and make sure we do it right.

One of the contentions you will hear is that the economics in the Tongass do not work. You will hear some numbers thrown around. I think it is important to recognize you would be operating off of a false assumption or a false premise if you were saying that the Forest Service is supposed to be a profit-making venture. As I indicated in those comments made by President Roosevelt some 100 years ago, conservation, in Roosevelt's mind, meant the wise use of forest resources for the greatest good, not necessarily locking them up under glass down in southeastern Alaska.

The question of why the Forest Service does not necessarily make a profit has been studied extensively. There is a think tank in Bozeman, MT, called the Property and Environment Research Center. They did a study in 1995 where they noted that the Forest Service is not expected by its governing law to make a profit. Its operations are governed by extensive environmental review processes that make it difficult to turn a profit.

Again, look at the numbers. Look at what the task, the mission, is in terms of multiple use, and what it is we are asking our foresters to do.

I will speak a little bit about the cost issue because there are those who will suggest this amendment is not being put forward because they are opposed to timber in the Tongass; they just think it is an unreasonable amount of money and that we are subsidizing. Well, we have a breakdown of the various regions across the country from the U.S. Forest Service that delineates the cost per acre of our respective national forests based on State. It sets forth the net acres, the gross receipts, as well as the monetary return per dollar invested.

If you look at the Tongass, we operate at about $6.05 in terms of cost per acre. As you go through this report across the country, you realize that $6.05 is actually a pretty good deal in terms of how we are operating on a cost-per-acre basis.

Running down through the States—not singling out any particular State, but in several of the California national forests, the cost per acre at Six Rivers National Forest is $27.35. The cost per acre in Plumas, CA, is $35.86; in San Bernardino National Forest, it is $189.20. As to the sponsor of the amendment, if you look at the White Mountain National Forest in the New Hampshire area, their cost per acre is $19.39.

So if we are talking about singling out one national forest in the entire national forest system, and we are saying it is too expensive in the Tongass, and we are not going to allow for any Federal dollars to go toward building roads because we think it is too expensive there, I challenge you: Take a look at what is happening with the operation of our other national forests in terms of our cost per acre and what it means.

Let's look to the monetary return per dollar invested in those national forests in California I made reference to. Their return per dollar invested is 1 percent. That is not a very good return if that is what you are going to base it on.

So again, to single out the Tongass, to single out the State of Alaska and say, ''You are the only one where we, as a Congress, are going to decide how you are going to manage your forests because we are going to tell you that there are no dollars that can go for road-building activity,'' the land management plan that we have spent 9 years and $13 million on is thrown out the window because the Federal Government is going to tell us that our costs are a little bit too high—it is wrong. It is flat out wrong, and it needs to be stopped.

I mentioned those who oppose this amendment. It is important for us to recognize who the professional managers are, the professional foresters, some 16,000 professional foresters across the Nation who oppose this amendment. Our decision, should we adopt the Sununu amendment, would override the judgment of professional foresters. It would render meaningless the Tongass land management plan. We need to think about what it is we are doing should we move forward in support of this amendment.

I want to leave my colleagues with a few facts again about singling out the Tongass for this action in this amendment.

Alaska is a State. We are not a colony. We may have come late into the statehood battle, but we are still a State, and we deserve to be treated as a State. We sought statehood so we could gain control of our resources. But sometimes that goal remains pretty illusive. All we are asking for is that we have the ability to manage our Federal lands responsibly. We can—in conjunction with those professionals, those foresters who are working hard on this plan to make it work—manage the forests to provide for the multiple uses our national forests are tasked to do.

I know people think: Oh, we throw around these Alaska statistics all the time. But I think it is significant in this debate to put this in context. Ninety-four percent of the land in the southeastern part of the State is part of the Tongass National Forest. It is controlled by the Federal Government, the U.S. Forest Service.

In the State of Alaska, we have 54 percent of the Nation's designated wilderness. In one State, our State, we have 54 percent of the entire designated wilderness.

What are we doing with the Tongass National Forest now? Forty percent of that land in the Tongass, some 6.6 million acres, is already off limits to timber development. It is in a wilderness area. It is a national monument. It is a land-use designation II area. It is absolutely, positively off limits. That is 40 percent currently in the Tongass.

Another 56 percent of the Tongass National Forest is off limits to timber under the forest plan—this forest plan that I keep talking about that took 9 years and $13 million that this amendment will essentially kick aside. Fifty-six percent of the Tongass is off limits under that plan.

That leaves 4 percent of the Tongass, or approximately 655,000 acres, out of a total of 17.8 million acres in the Tongass. That 4 percent is what we are talking about that would be available for timber development. Allowing southeast Alaska, allowing people such as Steve Seeley and his sawmill, and Kirk Dahlstrom's sawmill in Klawock, allowing this development in an economy that is already very hard pressed, is not going to spoil the beauty of this incredible national forest—these 17.8 million acres. It is not going to doom any national treasures.

We have a plan we have worked hard to complete. We ask to be allowed to continue that, and to be able to provide for the few jobs we would like to continue in the area for the benefit of those who choose to call it home.

With that, Mr. President, I see the senior Senator from Alaska is here. As

well, we are joined by our colleague from Oregon. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH. Mr. President, I rise to speak about a national forest that is not in my State, and of constituents who are not in the State of Oregon. I do so because I see happening to my Alaskan colleagues and their constituents what I have witnessed for too many years in my own State of Oregon. As a predicate, I know the difference between environmentalists who make many good points, who have much to contribute, and, frankly, what I would term the ''environmental conflict industry.'' Others have used that term. If this amendment that is offered by my friend, the Senator from New Hampshire, were really about saving money, it would be about streamlining costs associated with timber production as opposed to just an amendment that would effectively end any kind of multiple use in the Tongass National Forest.

The truth is, the Tongass is an area as big as many States in the lower 48. It is a vast resource. The truth is also that each of us, as Americans, use many pounds of wood in our lives every day. The question before this Senate is whether we want to have timber come from our country with high environmental standards or from other countries where there are few, if any, environmental standards. Many complain about the way the harvest is done in Indonesia or in Brazil. Some of us even complain that the way Canada harvests, across the border from the Tongass, is done on the basis of tremendous amounts of subsidies. They are called crown lands. The timber companies there are essentially given the raw product, provided access to the forest, and then are able to compete with American timber workers. That is to our great disadvantage.

Today I have to stand in defense of my colleagues and their State and their forest because America needs to be reminded that we have the best timberlands in the world. We can either use them or watch them, too often, go up in catastrophic wildfires. We know how to manage forests today. We know silviculture science. We know what works and what does not. Clearly, there have been abuses in the past. Clearly, things can be done better in the future. But the truth is, if we, as Americans, want timber products in our lives, that wood will grow and be harvested somewhere, if not from our country, then from where? If not up to high environmental standards, then as against what standards?

If you end the road-building component of timber sales in the Tongass National Forest, then you will end timber harvest in the Tongass National Forest because of the size of this area. You can't helicopter in and out everything that could be harvested and could be made available to American workers and American home builders and the tax base of the State of Alaska and, obviously, the Federal Government through timber receipts as well. It is expensive to build roads in forests, to maintain them. But, frankly, to do nothing is to abandon this industry.

Americans need to be reminded that timber does not come from the Home Depot. It comes from a tree that grows somewhere. But as to the environmental conflict industry that is pushing this particular amendment and, I am sure, some who want to save the taxpayer money, I want to suggest that it is the environmental conflict industry and not the timber industry that is feeding off the American taxpayer. With appeals and lawsuits, the cost of basic forest management skyrockets. The Tongass National Forest estimates that half of its timber budget is spent on paperwork that will be called into court. And to produce a 1,000-page NEPA document is now the rule rather than the exception.

The Tongass currently has 13 environmental impact statements delayed in court. Every forest plan on the Tongass has been litigated. And the environmental conflict industry will ask that their lawyer's fees be paid—by whom?—by you and by me, and by the taxpayer. In 2003, taxpayers were charged $200,000 by the Sierra Club for its lawsuit against the Tongass National Forest. It is a self-fulfilling prophecy for the environmental conflict industry to drive up costs of forest management and then grumble about those costs.

If this amendment were truly about fiscal responsibility, we would be discussing ways to produce timber from the Tongass at a lower cost instead of eliminating fiber production there altogether. Or we could be capping lawyers fees. Or we could be talking about other national forests that do not produce any revenue whatsoever, unlike the Tongass.

This amendment is not really about fiscal responsibility, it is about environmental responsibility. That ought to be our real objective.

If we buy wood products, just know that it grew on a tree somewhere. I would rather that it be managed in an American forest, such as the Tongass, providing American products for American consumers.

I felt it important that a Senator from a State who has already suffered, as they are now, and been attacked in the way that they are being attacked, ought to come down and speak for them. There are not a lot of people who stand up for timber workers anymore. These are not big companies operating in the Tongass. These are Americans in very rural places, trying to produce the products of the tree in a scientific way, according to high U.S. standards, so that we can meet the obligations of our law for multiple use as well as environmental stewardship.

I urge my colleagues to oppose this amendment and allow an environmentally sensitive industry, a timber industry that is living up to high environmental standards, to survive in a very rural and vulnerable part of our country in Alaska.

As I have said, I rise today in opposition to the Sununu amendment. I do so in defense of one of the basic functions of our National Forests—to produce timber.

This Friday signifies the 100th anniversary of the United States Forest Service. We celebrate this event because our forests are still there. Our forests are still beautiful. But certainly there's more to celebrate than that.

National Forests were originally set aside to produce two commodities: clean water and a continuous timber supply.

Ted Roosevelt said:

> The object (of our forest policy) is not to preserve the forests because they are beautiful . . . nor because they are refuges for wild creatures. . . . the primary object of our forest policy in the United States is the making of prosperous homes. Every other consideration comes as secondary.

With this in mind, I come to the Senate floor in defense of a National Forest not in my State, and on behalf of communities who are not my constituents.

But Alaskans are under the same siege that struck my constituents and National Forests in my State.

It is a siege of the ''environmental conflict industry.''

And it is this industry, not the timber industry, that is feeding off the American taxpayer.

With appeals and lawsuits, the cost of basic forest management skyrockets.

The Tongass National Forest estimates that half of its timber budget is spent on paperwork that will be called into court. And to produce a thousand-page NEPA document is now the rule, rather than the exception.

The Tongass currently has 13 environmental impact statements delayed in court. Every forest plan on the Tongass has been litigated.

And the environmental conflict industry will ask that their lawyer's fees be paid by the taxpayer.

In 2003, taxpayers were charged $200,000 by the Sierra Club for its lawsuit against the Tongass National Forest.

It is a self-fulfilling prophecy for the ''environmental conflict industry'' to drive up the costs of forest management and then grumble about those costs.

If this amendment were truly about fiscal responsibility, we would be discussing ways to produce timber from the Tongass at a lower cost—instead of eliminating fiber production altogether.

Or we would be capping lawyers' fees.

Or we would be talking about other National Forests that do not produce any revenue whatsoever.

This amendment is not about fiscal responsibility. It is about environmental responsibility.

I would remind my colleagues that a 2 x 4 does not come from Home Depot. It comes from a tree somewhere. The choice of the ''where'' is up to us.

If not from Alaska or Oregon, how about the rainforests of Brazil or Indonesia?

If not according to our environmental laws, then by whose?

If not to feed American families, then whose?

The United States has the most productive forests and the strictest environmental laws in the world.

To export our industry and our employment is both economically and environmentally appalling.

I do not believe this is the intention of the Senator from New Hampshire.

But this amendment runs against the very grain of the National Forest System we commemorate this week.

I urge my colleagues to oppose this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Senator from Oregon for his statement and his support. I thank my colleague from Alaska for her statement.

I come to the floor in opposition to the Sununu amendment, also. I hope Members will read it because it says:

> None of the funds made available by this Act may be used to plan, design, study, or construct new forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals.

This amendment is premised on inaccurate information and faulty assumptions about our Nation's timber industry, the Tongass, and the state of our national forests. Unfortunately, this type of information has become commonplace. It is the inevitable result of special interest campaigns which are designed to distort the facts and mislead the American public. For many years, I have worked to set the record straight, especially when it comes to the false claims about Alaska's stewardship of our natural resources. Unfortunately, this amendment requires that I attempt, once more, to set the record straight.

Misinformation about management of our national resources now runs rampant. I believe it lies at the heart of this amendment. It is the result of propaganda campaigns raised by extreme environmentalists and special interest groups who often get the facts wrong because they ignore our history. Our State once had a thriving timber industry. It supplied almost 2 billion board feet a year, employed over 3,000 timber workers, and generated tens of millions of dollars in revenue for the U.S. Treasury. But in the spirit of compromise and cooperation, our timber industry agreed to reduce the amount of timber it could harvest per year. In fact, one timber employee recently stated ''we cooperated ourselves right out of business.''

The Tongass National Forest was established in 1917. At 17 million acres, it is the largest national forest in the United States. It is twice the size of Maryland and more than 25 times the size of Rhode Island. As a matter of fact, if we look at the map showing the New England area, it shows how big this forest really is. The part that is covered in black is that portion of the forest that is open to timber on a proportionate basis. The other map that I have shows the forest as a whole and shows the result of the plans that have been developed. The area in blue is area that is still available for harvesting. All of the white part of that map of the Tongass is permanently closed to timber harvest.

The Tongass compromises 90 percent of the lands of southeastern Alaska. The remaining lands are State, more Federal, and private lands. The Tongass is the only forest in Alaska in which timber may be harvested now. Alaska's other forest, the Chugach National Forest, which contains 5.5 million acres, is now under a management plan which has reduced the allowable sale quantity to zero. The Chugach is completely closed to logging. No timber can be logged from that very massive forest, 5.5 million acres.

Federal timber policy regarding the Tongass has had devastating effects on the 32 communities in Southeast Alaska that depend on timber harvests for their livelihood. When Congress passed the Tongass Timber Act in 1947, an allowable sale quantity, which we call the ASQ, for the Tongass was set at 1.38 billion board feet per year. This level was slowly eroded. Under the 1959 Statehood Act, the State of Alaska was allowed to select only 400,000 acres of its 103-million-acre entitlement in Southeast Alaska.

Because there is little private land to support our local economies, Congress committed to provide support for economic development through timber sales. Congress codified that support in a series of laws beginning in 1971. In 1971, the Alaska Native Land Claims Settlement Act set the ASQ, the allowable quantity, at 950 million board feet per year. During subsequent years, the timber industry in the Tongass supported almost 3,000 jobs and harvested an average of 520 million board feet per year. However, the amount of permissible harvest was again decreased in the Alaska National Interest Lands Conservation Act of 1980, which set an ASQ of 450 million board feet per year. At that time, the Senate believed that 450 million board feet per year would maintain a robust timber industry which was a major section of southeast Alaska's regional economy.

In addition, the Senate envisioned providing Federal funds for road building and advanced harvesting technology.

As former Senator Roth stated at that time in 1980, the bill:

> . . . permit[s] the established timber industries to maintain a rate of production necessary for their economic success. It was understood by Members of the Senate during this debate that a vital timber industry was necessary for the economic survival of the residents of southeast Alaska.

As Senator Paul Tsongas of Massachusetts said:

> Our commitment was to treat Alaska fairly.

The commitment was again put to the test during the debate on the Tongass Timber Reform Act, which was called TTRA, in 1990. That plan set the ASQ at 450 million board feet on 1.9 million acres. The Act also directed the Forest Service to provide a supply of timber which meets the market demand in southeast Alaska. At that time, several Members from both sides of the aisle in the Senate adamantly agreed that this bill would be the final word on the Tongass.

As Senator Johnson of Louisiana stated:

> I believe that the designation and disposition of the public lands in the Tongass National Forest pursuant to this act represent a responsible balance between the preservation of wildlife areas and the availability of lands for more intensive use as determined appropriate by administrative planning and management. I further believe that this agreement will allow Alaskans the certainty they need and deserve by resolving the issue once and for all.

Now, that was in 1990. Senator BINGAMAN—now an original cosponsor of the Sununu amendment, as a matter of fact—said at the time:

> This is a balanced bill that will adequately protect this majestic national forest, while assuring a sustainable supply of timber for current and future needs. . . . This legislation recognizes that some areas should be protected, while others should be managed for a sustained supply of timber.

That was at the time of the 1990 act.

I remember speaking on the floor prior to passage of the bill. After years of broken promises and severe declines in the timber industry, I trusted our colleagues to do the right thing and resolve the issue of the Tongass once and for all. That is what everybody at the time said—that Act was the final legislation pertaining to the Tongass timber harvest. I called on all Members of the House and Senate to listen to the voice of Alaskans. I received a promise, commitment, and assurance of those involved, who had the power to change these laws, that they recognized this was the end, that there would be no further divisions of the Tongass.

In 1997, however, the Forest Service completed the Tongass land management plan, which currently guides management of the Tongass. The development of that involved an unprecedented level of scientific review and public involvement. It took over 10 years and cost the taxpayers of the United States $13 million.

I opposed the plan because it contained again a drastic reduction in the amount of timber allowed to be harvested. It reduced the allowable sale quantity level to 267 million board feet per year. I thought the levels were

much lower than they needed to be, and they violated the commitment previously made to me. Numerous scientists who found that the Tongass could sustain far greater development supported my conclusion.

Yet, today, that plan seems like the golden age of the Tongass timber industry. I now find myself defending a plan I initially opposed, because of continued efforts to erode the promises made to our State.

This plan addresses how to manage the Tongass—a largely undeveloped forest landscape—over time. The centerpiece is a biological conservation strategy that protects the ''biological heart,'' as they called it, of the Tongass, designed to assure the sustainability of all resources and values, while allowing development on a relatively small portion of the Tongass to support communities in southeast Alaska through timber harvesting.

Mr. President, 93 percent of all forested areas in the Tongass are set aside under the 1997 plan; 93 percent are not available for timber harvesting. Timber harvesting can actually now occur on only 676,000 acres, or 4 percent of the 17 million acre forest. The allowable sale quantity under this plan is 267 million board feet—down, as I said, from over 1 billion board feet. An ASQ of 267 million board feet per year is the bottom quantity, as far as I am concerned.

Since 1990, the volume of timber harvested from the Tongass has dropped from hundreds of board feet per year. Last year, only 46 million board feet of timber was harvested—46 million board feet of timber from a forest of 17 million acres.

To comply with the Tongass Timber Reform Act, the current plan seeks to plan, prepare, and sell about 150 million board feet per year. Delays caused by litigation have prohibited the Forest Service from accomplishing this goal on the Tongass. Fourteen projects are currently under litigation. They represent over 238 million board feet of timber that should have been harvested in years gone by.

Direct timber jobs in the Tongass have declined from over 3000 in 1990 to less than 700 today. Unemployment in parts of southeast Alaska is well over 10 percent, all because of extravagant acts of those who oppose the very Act they championed at the time it passed in 1990.

Mr. President, 150 million board feet per year could support 959 direct timber jobs, totaling over $35 million in direct wages, Each direct timber job is estimated to support another 1.7 jobs in the local economy. These jobs are an important high-wage sector of the economy and provide much needed year-round employment for southeast Alaska. The benefits of a sufficient and sustained timber supply are obvious.

The timber industry in southeast Alaska has changed dramatically over the period we have described. The large pulp mills are closed. Three medium sawmills, one small sawmill, and a handful of micromills remain, but they are primarily idle because of the level of timber that can be cut right now. These businesses are family owned and community based and depend upon a supply of timber from the Tongass for their survival.

The remaining mills are involved in efforts to increase the demand for, and the stumpage values of, the timber in southeastern Alaska.

These people are trying to build a more integrated industry to provide finished products, such as window and door trim, to local, national, and international markets.

The Tongass timber program is working to complete investments in drying and planing lumber, having it graded, to sell in the local region.

Wood resources in southeast Alaska are now known to have unique qualities. Wood density and lumber strength is high. New lumber grades for Alaska yellow cedar and hemlock have recently been issued, which surpass the strength of other species currently used in construction in the lower 48, such as Douglas fir. This is also expected to increase the value of Alaska's timber.

In other words, we are trying to do what we can through technology to increase value of our timber, even though the amount of the timber is steadily declining.

The efforts of those remaining in the Tongass industry to adapt to current conditions will be worthless if Congress adopts the Sununu amendment. As I said, the amendment prohibits the Forest Service from using funds appropriated for the ''planning, designing, studying, or construction'' of timber roads.

Planning, designing, and studying are necessary to assure that we meet the multiple use consideration of the national forests. This forest area is full of small streams that contain migratory salmon. Wildlife is there. There are recreation values. A whole series of values require the Forest Service to study the areas that can be harvested. Careful planning, designing, studying, and construction is necessary to protect those values, as well as provide a transportation route so timber can be taken to market.

This amendment will effectively enact a roadless rule in the Tongass. It would prevent access to more than 300,000 acres of unroaded timber base in the areas that are open for timber harvest. Access to the small amount that is available should not be denied because of this amendment.

Data provided by the Forest Service shows at a minimum southeast Alaska will lose two mills and about 680 more jobs. These numbers will not support the industry described if this amendment passes.

Law requires that a sufficient timber supply be provided to meet market demand. That was one of the basic considerations that came from the 1990 Act. Current market demand is about 150 million board feet per year in our own area. Under this amendment, we would harvest less than 40 million board feet per year, bringing the industry to a standstill. I ask the Senate to reject this approach that would further renege on the obligation to southeast Alaska to fulfill the commitments that were made to Alaska and to southeastern Alaska under the Tongass plan.

Some of the Senators claim the Sununu amendment is about our fiscal responsibility to ensure taxpayers are not subsidizing the Tongass timber industry. But this is not about fiscal responsibility.

National environmental groups have spent millions appealing and litigating timber sales in the Tongass National Forest, causing program costs to soar and the number of sales to collapse. Almost 75 percent of all the costs associated with timber sales in the Tongass National Forest are spent on NEPA, appeals based on that Act, and litigation. The remaining 25 percent is the actual preparation and administration of a sale, including the building of roads.

Compliance with NEPA and other Federal laws and responses to appeals and litigation currently total about $110 per thousand board feet, or $110,000 per million board feet.

Without these costs, timber sale preparation and administration for the Tongass Forest would cost about $36 per thousand board feet. The average timber sale generates about $42.5 per thousand board feet. Without frivolous appeals and lawsuits, the Tongass timber program would yield a reasonable profit margin and make money for U.S. taxpayers.

Administrative appeals and litigation increase the cost of Tongass timber sales exponentially compared with the rest of the United States. The Forest Service estimates the timber sales in the Tongass are appealed and litigated more than four times that of timber sales in the national forests in the lower 48. It is the cost of this litigation and the cost of the environmental programs that are instilled by these extreme environmentalists that drive up the cost in the Tongass. Now they say we should stop harvesting timber because of the cost. Despite extensive environmental review and public participation, the majority of the timber projects in the Tongass are appealed and/or litigated.

Taxpayers are not subsidizing the timber industry. Under the National Forest Management Act, timber sale purchasers are required to competitively bid and pay market value for the sales they purchase. Purchasers also pay for all logging, transportation, and manufacturing costs.

In addition, the Multiple Use-Sustained Yield Act mandates that national forests be managed for multiple use benefits such as fish, wildlife, recreation, and clean water.

Ecological benefits include various land management objectives such as

improving forest health and reducing the risk of catastrophic fire.

All of those costs are what the environmental groups say are part of the cost of the timber sale program. They are not. Seventy-five percent of all the costs have nothing to do with harvesting timber. They have to do with the attacks of extreme environmental groups that now bring this amendment to say you cannot use Federal money to build these roads, or even plan them, because it costs too much.

In the Tongass, timber sales also provide basic infrastructure, such as roads and docks. This infrastructure provides residents and visitors with access to hunting, fishing, recreation, and wildlife viewing. The whole spectrum of tourist activity in southeast Alaska is supported by the roads constructed. Some roads constructed by timber sales serve as the basic road system between communities and ferry terminals, which are the water highways of the island communities of southeast Alaska.

That area has no roads. Even our capital cannot be reached by road. This is an island area. It must have roads basically from the edge of the water to the area available for harvesting which, by definition, is back away from the view shed that we keep along the water's edge to assure that tourists will have the proper view of the area.

I do believe these water highways between our southeastern islands are connected, in a way, by virtue of the forest roads that are developed under these timber sale programs.

These timber sales provide benefits beyond revenues earned. Economic benefits include new jobs, additional income for individuals and businesses. Basic tax receipts of this area depend on the harvesting of timber in the Tongass.

The problem that I see now is that these communities have come to rely on timber sales not only for jobs but for their local economies. Timber sales revenues are important to local communities which receive 25 percent of the proceeds of these sales for public schools and roads, as do all areas that have national forests. By prohibiting these roads which will kill the sales, in effect, the contribution that is brought about by the laws that pertain to national forests will not be realized in Southeast Alaska because there won't be any harvest or 25 percent to support the schools that come out of the national program.

That program applies to the entire United States. The timber roads program applies to all States where there are national forests. In the year 2004, the timber harvest for all 10 forest regions was about 2 billion board feet. The gross receipts totaled $217 million and expenditures amounted to over $268 million, and that number does not take all costs into account.

The 1998 timber sale performance information reporting system found net losses in 8 of the 10 forest regions. Some States may be able to show a profit or even break even, but clearly the national timber sale program does not.

As a matter of law and policy, national forest managers are required to behave differently from private forest managers, so it does not make sense to judge their performance by private sector standards—profits.

If the Forest Service's goal was to maximize profits, contrary to the Multiple Use-Sustained Yield Act, the Forest Service would allow export of timber and sell it to the highest bidder worldwide in the global economy. But that would essentially outsource all of the value-added forest products industry of the United States, putting local mills out of business, eliminating jobs, and leaving local communities with few alternatives for revenue. Given our current economic climate, the United States cannot afford that policy.

I want to share a quote from President Roosevelt. Senator MURKOWSKI mentioned he established the Tongass National Forest. I think it is relevant today. He said:

> . . . First and foremost, you can never afford to forget for a moment what is the object of our forest policy. That is not to preserve forests because they are beautiful, though that is good in itself, not because they are refuges for the wild creatures of the wilderness, though that too is good in itself; but the primary object of our forest policy, as the land policy of the United States, is the making of prosperous homes.

This national forest concept was supposed to provide an alternative to the development of privately owned timber and be a yardstick for the management of timber resources in our country.

The construction of timber roads is important for both the economic and environmental health of our forests. They provide access to timber used for wood, paper products, and home construction. They enable citizens to access our forests for public recreation, and they enable Forest Service employees to manage those forests for the public good.

The timber road program in Alaska is managed in the same manner as the timber road program of every national forest in the United States. The only difference in our case is we provide special protections, such as culverts, to ensure safe fish passage, and we protect the terrain. We have learned from the mistakes of the past. We do not build roads the same as they do in other areas. We strive to strike a balance between conservation and economic development.

And now with this amendment, some Members of the Senate would penalize Alaska for doing the right thing. We have developed a basic approach to use our timber areas to protect other values besides timber harvests. We could seek to significantly reduce the amount of these protections required for our timber road system, and we could drastically reduce the funds required, but that would be inconsistent with proper stewardship of our national forest lands.

Because only 1 percent of Alaska's lands are privately owned, it is imperative that the Federal Government allow us to use some of our resources on Federal lands. The Federal Government manages, by the way, 235 million acres of Alaska's land.

We have a long, proud history as responsible stewards of our natural resources. Alaskans will always manage our lands in a way that ensures its vitality. Timber is a renewable resource. It can be—and will be—managed as such under the Tongass land management plan.

Much of Alaska will remain pristine wilderness. We have set aside a tremendous amount of it. But we need some certainty that we will be able to harvest small portions of the forest which are not already set aside. We need to know we will be able to sustain the timber industry today with the assurances of the past. We need assurances that our efforts will not be met by more resistance, such as the frivolous lawsuits and amendments such as this.

In order to give our communities a chance to be prosperous, Congress should allow the Tongass to be managed under the forest management plan without further unwarranted interference.

I remind the Senate, the same environmental groups that caused the Tongass to lose money through frivolous litigation and stalling tactics, as I said, are now calling for an end to the timber program under the guise of fiscal conservatism. It is disingenuous and duplicitous, and their approach is given sanction and credibility by this amendment. This amendment should be defeated.

I do hope that our colleagues will consider this: Taxpayers for Common Sense has repeatedly opposed Federal funds for the entire National Forest System. They argue that 105 of the 111 national forests spend more money in the operation of forests than they collected through timber sales. They want us to meet the cost of all multiple use values the cost of recreation, the cost of conservation, the cost of protecting wildlife—by the revenues coming in from the small amount of areas of the forest allowed to be harvested.

This group singled out several national forests as wasteful. I want to point out to the Senate that the Taxpayers for Common Sense attacked forests in California, Alaska, Montana, Oregon, Idaho, New Mexico, Arizona, Colorado, Washington, and Utah. I urge the Senators involved in this amendment to consider this. Why single out Alaska? Why is it that Alaskan roads cannot be built with Federal money? They are being built in all these other national forests deemed wasteful.

I am surprised my colleagues from New Hampshire and New Mexico would offer this amendment in view of the conditions of the forests in their own States. According to the Wilderness Society, the Forest Service's timber program in New Hampshire lost between $813,000 and $1.2 million. We are

being attacked for something that does not exist in Alaska alone.

In New Mexico, the timber program lost between $365,000 and $414,000.

The same economics are applied to the Tongass Timber Programs as in all National Forests. The difference in Alaska is that four times as many lawsuits are brought against Tongass timber sales than in the rest of the United States.

If this amendment is designed to protect the taxpayer, then restrictions on Federal funds for timber roads should apply to all forests in every State. And I think special interests will come after those other areas, if this amendment is passed.

I call this an ill-conceived amendment. I urge it not be adopted. It would add weight to the logic embraced by Taxpayers for Common Sense who have attacked, as I said, almost every forest in the United States. It will send us down a slippery slope by setting a precedent for halting road programs in national forests.

The roads designed and built by the Forest Service are in the best interests of the Nation because they protect all the values of the multiple-use concept of our national forests. This is not only important to the timber industry, but it is important to millions of Americans who rely on roads for access to national forests.

I do not want to encourage environmental groups to continue waging frivolous lawsuits in the hopes of making timber programs throughout the United States too expensive to continue. What they are doing is increasing the costs. Again, I point out, 75 percent of the costs in Alaska are involved in compliance with the National Environmental Policy Act and the appeals and litigation that ensue whenever the Forest Service offers a timber sale in the Tongass.

Adopting this amendment would unfairly and unjustly distinguish one State—our State—sending a sobering message to Alaskans: Despite Congress's statements and actions in the past, a Senator voting for this amendment will be telling Alaskans that their economic well-being is secondary to special interests, and when push comes to shove, Congress will forget about the commitments of the past, forget about the promises of the past, and move to satisfy this extreme environmental movement that is the basic cause of the problem as far as the forests are concerned.

If Congress chooses to adopt this amendment, none of our forests are safe. No forest can afford to sit idly by. These special interest groups are designing ways to destroy an important Federal program based on spurious allegations with regard the economics involved. Those economics are affected more by the environmental movement, which is challenging most timber sales in the Tongass, than by the forest actions themselves.

Above all, I ask the Senate to remember that this amendment goes back on congressional promises made to Alaska. In exchange for withdrawing over 100 million acres of land for parks, refuges, and forests, including 17 million acres in Tongass National Forest, Congress promised that it would leave intact sufficient land to maintain a robust timber industry in Alaska.

Unlike the timber industry in other States, Alaska's timber industry is reliant on the Tongass, which comprises 90 percent of Southeast Alaska. Only 676,000 acres are currently open for timber harvesting.

Since 1980, jobs in the Alaskan timber industry have shrunk from over 3,000 to less than 500 today. We have only four small family-owned timber mills left.

This amendment is not about fiscal responsibility, it is a back-door attack on the timber industry to benefit this extreme environmental movement.

As I said, 75 percent of the timber sale cost is from NEPA, the National Environmental Protection Act, compliance, appeals, and litigation. Without those, the Tongass would make a 13-percent profit.

Many of the national forests in the United States have monetary returns per dollar invested, which is less than the rate of return of the Tongass, and they are not considered at all in connection with this amendment. This amendment would set a precedent that litigation can make the cost of timber programs in all national forests too expensive to continue.

If this amendment was really about fiscal responsibility, then all national forests would be included. Most of the timber programs throughout the United States—as I said, 8 out of 10 of them—are not profitable. In fact, according to the Forest Service—and I close with this point—the Tongass is one the best managed forests in the Nation. It has one of the lowest costs per acre, including the timber program.

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.

Mr. SUNUNU. 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. SUNUNU. Mr. President, I rise to speak on my amendment. I had an opportunity to present more complete remarks last night so I will try to speak briefly this evening.

I appreciate the work of both Senators from Alaska and understand that this is naturally an issue of great personal interest and commitment for them.

I wanted to address briefly a few of the general remarks that were made, especially those, for obvious reasons, that referred to me. First, I do not think I have ever been accused of being an extreme environmentalist. I certainly do not consider myself an extreme environmentalist.

In that regard, I believe one simply has to look at the basic premise of this amendment. It does not create a new wilderness designation. For my part, I have opposed President Clinton's roadless initiative. I have supported the multiuse concept in national forest land across the entire country and will continue to do so. So I just do not think it is fair or appropriate to throw around a label like that cavalierly, and I trust that it was not meant that way.

Second, I emphasize the point that from my perspective, this is about fiscal responsibility and fiscal restraint.

The suggestion was made a number of times that it was not. Frankly, I do not think that is quite appropriate because it suggests a set of motives that just are not there.

One does not have to go any further than the amendment I offered last week to the Energy bill to strike some of the more egregious taxpayer subsidies in that Energy legislation or my vote against the highway bill that broke the budget or my vote against a prescription drug bill that we knew then and we know now had costs far in excess of its prescribed $400 billion or my vote against the Energy bill in its final form today. I believe it is fair to stand on my record that the votes I have cast, the amendments I have offered of this type that have dealt with taxpayer subsidies, have all been motivated by one thing and one thing only, and that is doing what I believe is appropriate and right when we are handling taxpayer resources.

In the case of the support and the subsidies that go to private logging firms, I believe we have to draw a line somewhere. When we look at the Tongass and see $49 million in costs for a timber program that yields for the taxpayers $800,000 in revenues, something is not right. The opponents of the amendment will say: Well, only $15 million, $20 million, or $25 million is going directly for the cost of building roads. But in my book, $25 million for $800,000 in revenue is still a pretty bad deal.

There are a lot of reasons listed for the high cost of a timber program on the national forests, and I am very sympathetic to many of the concerns raised: high legal costs, an unbearable bureaucracy, regulatory costs associated with not just completing, in some cases, redundant environmental studies but then defending them in court. I am willing and I have voted in the past to support efforts to deal directly with those costs and to support efforts to allow appropriate consideration, but deliberate consideration, of those challenges. I will continue to do so.

Because there are such things as frivolous lawsuits that are in the pipeline does not justify a $15 million subsidy or a $25 million subsidy or a $35 million subsidy or a $48 million subsidy. The subsidy itself cannot and should not be used to defend or respond to bad behavior in other ways. So we need to fight those costs, the legal abuses, and burdensome environmental regulations

that are not appropriately applied, but those issues are separate from the question of whether we should use taxpayer funds to subsidize the construction of roads to support private timber firms.

Again, I come back to the basic point that this is about fiscal responsibility. When I hear that phrase, ''this is not about fiscal responsibility,'' it really has to be read as questioning my motives or, frankly, the motives of any of those who are supporting this amendment. I do not think the Senate floor is the appropriate place for that kind of a question.

The facts are pretty straightforward. In fiscal year 2004, the timber program on the Tongass cost $49 million, and $800,000 was yielded in revenues. That does not mean that profitability as applied to a private firm should be the standard for any multiuse effort or any effort to harvest timber on national forest lands because we know national forest lands are unique, and we know that the Forest Service has to be involved in doing things that many private timber firms either cannot or would not be asked to do in the private sector. So I recognize that.

The Senator from Alaska made a point that the loss in New Hampshire in the timber program was about $800,000. If so, I would hope that over time we can do better than that in my state, but there is a big difference between $800,000 and $48 million. The disparity of cost or the costs associated per million board feet taken out are similarly quite significant, the loss per million board feet in New Hampshire being approximately one-third of that in the Tongass in data that I have seen.

So profit should not be the standard, but at the same time it is hard for me to justify taxpayers paying the cost of the roads. I do not think asking private firms to pay for the cost of building the roads to access the timber they purchase is too much of a burden to bear.

Finally, with regard to the multiuse concept that was mentioned, I strongly support the development and application of forest plans that are put together locally using local stakeholders. It has been very successful in New Hampshire. I imagine it has been successful in other parts of the country. In New Hampshire, we enjoy national forest lands for recreation, hunting, fishing, economic interests, and a timber management program. But even where multiple use is concerned, we need to strike a balance, a balance between the taxpayers' interest and a balance between the long-term health of the forest itself. Where the taxpayers are concerned, a subsidy of $45 million or $48 million per year, stretching as far as the eye can see at this particular time, is unnecessary.

I ask my colleagues to support the amendment. I hope this at least can lay the foundation for looking at subsidies not just in this industry but in other areas with a little bit of a sharper eye. At a time when we have $300 billion or $400 billion deficits, I do not think there is any area of the budget that does not deserve tougher scrutiny.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I appreciate the opportunity to respond to several of the remarks raised by my colleague from New Hampshire. I start off my comments by stating very clearly it was certainly not my intention, nor do I believe it was the intention of Senator STEVENS, to question motives or to imply somehow our colleague is an environmental extremist.

If, in fact, that was perceived from the remarks, that the Senator from New Hampshire falls in that category, again from my perspective that was not my intention, and I certainly would not want him to think that I have put him in that category of those who, as the Senator from Oregon indicated, are engaged in ''professional environmental conflict,'' I think was the terminology he used.

I do wish to speak very briefly to a couple of the issues. The Senator from New Hampshire indicated that he was not, through his amendment, proposing any addition of wilderness designation. He stated that was not his intent. I understand that is not the intent. However, the practical effect, if we were to withhold any Federal dollars, any opportunity for Federal revenues to come in and help with the road building in that area, that would be the practical effect in the Tongass. It would put off limits those areas to any harvesting of the timber. If we cannot build a road in there, the harvesting will not happen.

As the Senator from Oregon mentioned, we are dealing with an incredible land mass. The acreage in the Tongass is 17.8 million acres. As has been said many times this evening, the area we are talking about that would be available for development is a small fraction of that. Just 4 percent of that would be available for any form of development, but still, if one is not able to put a road in, if they are not able to access the area, the harvesting does not happen, and in effect what is being created is an off-limits area, off-limits to development, off-limits to recreational use, off-limits to pretty much anything.

I was born in the Tongass. I was born in Ketchikan. At the time that I was born, Ketchikan was a very thriving timber community. The Tongass is not a place where one just goes to take a walk. It is an old growth forest that is as tangled and deep a forest as one can possibly imagine.

So those who would say, We want to make sure we have access to the Tongass for recreational purposes, the way that one is able to access for recreational purposes is through the roads that have been built as we have harvested in certain areas. My family goes out there and we want to use the area for hunting, but we do not go off the beaten track because it cannot be accessed. The animals are not in the areas that have not been cleared, to a certain extent. So for those who will engage in the multiple use of the Tongass, these roads are significant.

The statement was made that those of us who are in opposition to this amendment are saying that this really is not about the fiscal issue. I guess I have to just stop on that one and say, okay, if we really are looking at this from a cost perspective and we are looking to minimize the extent of Federal dollars going out and to be as cost efficient as we possibly can, why are we just looking at the Tongass alone? If what we are really talking about is to get those efficiencies, to make sure we do not have unnecessary subsidies, then tell me why this is just about one national forest in 1 State out of all of the 50 States. Because we are not going to balance the budget on what is happening in the Tongass in terms of the dollars that go out there.

I wish to speak just a little bit to the dollars. My colleague has indicated that the Tongass spent $49 million on its logging program and the logging roads in 2004. The total budget to operate the Tongassis is $49 million. In fact, the timber program on the Tongass cost $22.5 million. He has also indicated that the timber revenues on the Tongass in 2004 were $800,000. In fact, the timber revenues were nearly $2 million. So it is important to make sure we are using the right numbers.

Let us just look at what that $49 million buys us. Is this all about roads? No, it is not. Now, the road maintenance is an aspect of that, but it is also for bridge and road construction unrelated to timber harvesting, other engineering projects. The work that the Forest Service does in the Tongasssupports subsistence harvest, the fish and wildlife, basically keeping the grocery store open for thousands of rural Alaskans.

Senator STEVENS mentioned the fish culverts that are inserted to allow for the fish passage. We build those so fish can get to where they need to get. It is one of those things we do to make sure we are caring for the environment and are good stewards.

We developed an invasive species strategy to help prevent the nonnative plants from coming in and taking over, as we are seeing in some parts of the lower 48.

Basically, the bottom line is these dollars that are going out are not all directed at road building. They are dollars spent on recreation, visitor service, heritage, wilderness, minerals, vegetation, watershed, subsistence, wildlife, fish habitat, fire suppression, and land acquisition. And administrative costs are included in there, as well. So when we look to the Tongass and those costs, we must put it into perspective.

I spent a few minutes in my previous remarks looking at the costs per acre on other national forests across the 50 States, what is the dollar return on

your investment if we are trying to make that connection. These are important to recognize. What is very important to recognize is the Tongass is not so way out of whack in terms of its management and its costs that it should be sending off signals and red flags. In fact, my colleague from Alaska has indicated the Tongass has been singled out and has been declared the best managed national forest in the system. That ought to count for something.

For my colleagues who are saying this is simply a fiscal issue and we need to look at it from the numbers perspective, let's look at it from the numbers perspective. Let's use the right numbers, but let's also recognize there is something terribly wrong with an amendment that pulls one national forest out of all of our national forests and says: There is too much going to you; we have to shut it off.

Folks, that is not right. It is not fair. I certainly hope my colleagues, when we have an opportunity to take this up in the Senate, vote down this amendment.

I yield the floor.

Mr. REID. Mr. President, many States, especially those in the West, are dominated by Federal lands. For those States, and many others, the Interior appropriations bill is a singularly important piece of legislation because of the funding it provides for our public land agencies.

Take Nevada, for instance. While my State contains nearly 71 million acres within its borders, 61 million of those are managed by Federal agencies. That's 86 percent of my State, or nearly 9 out of every 10 acres. And if that number doesn't get your attention, consider the fact that two out of every three acres in Nevada are controlled by one Federal agency: the Bureau of Land Management.

I offer these statistics to highlight the significance of today's debate. While the Department of Interior may not be the center of attention in some areas of our country, in the West, the agencies funded under this bill have a measurable impact on our quality of life, our access to public resources, and the protection of our greatest public assets.

Senator BURNS and Senator DORGAN have done a good job crafting this bill. We all know that this year is especially tough in terms of overall funding allocations and that some tough decisions had to be made. Considering the constraints they faced, these two senators have produced impressive legislation. I commend them for the time and effort that they and the rest of the committee have put into this bill.

Particularly, I am pleased that the committee funded a number of priority projects in Nevada. One of the key projects that this bill provides funds for is the construction and improvement of the Jarbidge Canyon Road. This road in northern Elko County washed out over 10 years ago and has been a major source of controversy ever since.

With the funding that the committee has helped provide, we will finally be able to bring resolution to the issue in a way that ensures greater access to our public lands while also protecting a threatened population of bull trout and shielding the road against future floods. This is a win-win situation for sportsmen, for the county, for the U.S. Forest Service, and for local residents.

I am also pleased that the committee saw fit to provide funding for a number of sewer and water projects that are difficult and often impossible for small and rural communities to fund on their own. Even in some of Nevada's larger population areas, the amount of Federal land in those areas still makes raising funds for these projects very difficult. So I thank the committee for their efforts to provide EPA grant funding.

I also want to recognize their efforts to increase funding for the Payment-In-Lieu-of-Taxes program. ''PILT,'' as the program is popularly known, provides millions of essential dollars to Nevada's counties each year. Without these funds, the provision of basic local government services such as law enforcement and street repairs would be severely diminished. I look forward to the day when we will fully fund this program and finally live up to the responsibilities we have to our rural counties.

I am also strongly supportive of the increased funding levels contained in this bill for the National Endowment for the Arts, the National Endowment for the Humanities, and the Historic Preservation Fund. As our distinguished friend Senator BYRD has taught us on so many occasions, life can be not only enriched but measurably improved by a fuller understanding of our history, our cultural roots, and our common heritage. These programs deserve our respect and our support.

Before I close, let me remark briefly that we have a profound responsibility this year, and every year, to make sure that our public lands and our public resources are properly managed. As the demand for healthy outdoor recreation grows, so too must our commitment to proper stewardship.

I am concerned that in all too many places, budgets for agencies such as the BLM and the Park Service have stagnated or shrunk while the overall usage of our public resources has skyrocketed. The Lake Mead National Recreation Area, for instance, now sees nearly 8 million visitors a year, a strong increase from 10 years ago. But this same park has lost 40 rangers and support staff positions since 2002. We need to solve this and similar problems before our greatest natural treasures are lost or permanently compromised.

I look forward to a healthy debate on this bill and I hope Democrats have a chance to offer their amendments.

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. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent to be recognized to speak as in morning business.

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

AMENDMENT NO. 1052

Mr. DURBIN. Mr. President, the bill under consideration on the Senate floor is intended to provide appropriations for the Department of Interior. Unfortunately, we were forced by circumstances to shift our focus during the course of debating this bill to consideration of an emergency issue which faces our Nation that relates to funding for the Department of Veterans Affairs. This is because the President's budget did not provide enough funds to provide quality health care to veterans across America during the remainder of this fiscal year.

Last week, the Department of Veterans Affairs admitted to Congress that its budget for the current fiscal year will be at least $1 billion short of the amount needed. Part of the reason for this is reportedly that the Department based its budget needs on faulty estimates. Reportedly, the VA thought it would see a 2.3-percent increase in patient demand for services. In reality, they have experienced increases of 5.2 percent. In other words, the Bush administration miscalculated. Their estimate of veteran patient load was less than half of what actually proved to be the case.

Senator PATTY MURRAY of Washington has been our leader on this issue. Repeatedly in the Committee on the Budget and in the Senate she has said the Veterans' Administration was not asking for enough resources to take care of the veterans from other wars and the returning soldiers from Iraq and Afghanistan. She spoke at length in the Senate about the many opportunities we have had in the Senate over the last few months for the Bush administration officials to state their true budget needs. They repeatedly said they needed no more money this year. Now, belatedly, they admit they are at least $1 billion short of what they really need.

With the Murray amendment that Senator BYRD is joining and offering, the Senate has an opportunity to address this serious shortfall and to provide to America's veterans the real resources they need and deserve. One of the medical services that unquestionably, indeed, desperately needs funds is the treatment of post-traumatic stress disorder. The war in Iraq is producing a new generation of American veterans whose wounds are invisible. Already, we see recently returned veterans with depression, anxiety, substance abuse, and post traumatic-stress disorder.

As our men and women come home from battle, we must be ready to give them the help they need, the help they deserve, the help we promised. I have noted on numerous occasions the special need for additional VA capacity to treat returning veterans suffering from PTSD. Last year, the New England Journal of Medicine published data showing that roughly one in every six returning Iraqi veterans will likely suffer this debilitating mental health condition. With the number of troops having served in Iraq and Afghanistan now exceeding 1.1 million, it is absolutely clear—it has been clear for some time now—that the VA is going to see a big increase in the need for post-traumatic stress disorder treatment. Even the toughest warriors can have troubled feelings following the stress of combat. It is no sign of weakness. It is no sign of cowardice. It certainly is no sign of failure.

Frankly, they need to ask for help, and we need to give it. All our veterans need to know that services are available to them and they should not be ashamed to use them. Unfortunately, the VA's current capacity to help them is lacking. The Government Accountability Office reported last September that officials at six out of seven VA medical facilities said they may not be able to meet an increase in demand for PTSD services. Their own internal committee has made repeated recommendations about the need to expand PTSD treatment capability within the Department, but the GAO has also recorded that the Veterans' Administration has not fully implemented any of these recommendations.

Given the failure of the VA to expand PTSD treatment, as its own experts have advised, given the failure of the VA to adequately see the coming increase in patient need, given the failure of the VA to budget for its real requirements, it is time for Congress to do something, to take strong corrective action.

I have introduced legislation to fill in the gaps in the VA's treatment structure for PTSD to ensure that counselors and PTSD teams are available in every veteran center and VA hospital. But even before we make these structural changes, we can provide the funding increases to prevent long delays in service. This amendment we will consider from Senator MURRAY and Senator BYRD is an important step toward that goal.

It is a sad fact under the Bush administration's leadership that the Department of Veterans Affairs has failed to adequately budget for the health care needs of American veterans. Sad, but it is true. Where the administration has failed, Congress must step in and correct the problem. This amendment will help fill the gap.

In less than 20 minutes, President Bush will be speaking to America. He will be talking about the situation in Iraq. He will give his speech in the company of some of the best and bravest men and women who serve in our Armed Forces. He will undoubtedly say to them, on behalf of all Members, that we stand behind them. His words will be heartfelt and they will truly represent the way we feel about the men and women in uniform. But our commitment to soldiers and to veterans has to go beyond statements on television. It has to go beyond speeches. It has to go beyond some of the things that are left in the CONGRESSIONAL RECORD each day as a tribute. It has to be shown in our deeds.

We will have a chance with the Murray amendment to put the necessary funds in the Veterans' Department so that the hospitals and clinics across America can help our veterans from other wars and our soldiers coming back from Iraq and Afghanistan. The assistance which they need can help right now. The longer a soldier is troubled, the longer a soldier suffers from PTSD and the stress and anxiety and depression that comes with it, the more difficult it is for them to finally break away and to return to a normal life. Quick, professional care is necessary.

Don't look beyond the fact that many of these soldiers have spouses and children who are affected by their problems. They need help, too. Family therapy from VA should be part of this commitment.

As I traveled around Illinois a few months back and met with the soldiers coming back from Iraq and Afghanistan, I was stunned. Some of the youngest, strongest, best-looking soldiers who returned, men and women, who appeared to have no concerns at all, back at home in civilian life, were struggling with demons inside, demons that were created by things that they saw, things that they did, things that they were exposed to which many of us, thank God, will never have to see. We need to help them. We need to make sure that our commitment to them goes beyond a cheer, goes beyond a kind word, goes to the deeds that are necessary to prove our true commitment to the men and women in uniform.

This last group I spoke to was the Veterans of Foreign Wars Convention, a statewide convention in Illinois in the city of Peoria. It was a good meeting. They were mainly veterans from other wars, from the Persian Gulf, Vietnam, Korea, World War II. These were primarily men but some women who had served our country and were coming together. Time and again, they asked us to not only stand behind our troops, but also stand behind our veterans. They challenged me. They said: Senator, be the best Senator we have ever had in this State for the veterans and soldiers. I will try to show them that I can live up to the challenge.

With this amendment, the Murray amendment which I have supported before, and which now should pass, the Senate can go on record on a bipartisan basis saying we stand behind our soldiers and our veterans.

IRAQ

Let me say a word, Mr. President, about the President's speech this evening about the war in Iraq. Once again, it goes without saying that we are all committed to the men and women in uniform. The last time there was a supplemental appropriations bill on the floor that the President asked for, in the range of $81 billion, for the war in Iraq, it passed unanimously 100 to 0. I think that tells the story. Whether you agreed with the President's policy beginning this war or disagreed, we all agree that our men and women in uniform should have everything they need to execute this war.

But it is a war unlike any that we fought in recent times. It is hard to claim territory and hold it. Fallujah, just a few months ago, was the scene of great carnage, as American troops went in to root out the insurgents and terrorists. We lost a lot of our wonderful soldiers in that battle. They achieved their goal. They cleared out Fallujah. Yet, just a few days ago, we lost more soldiers in that same city; in this case, several women soldiers who lost their lives in the terrorism that has now become too commonplace. So claiming and holding territory is obviously very difficult in Iraq.

It is also difficult to identify an enemy that does not wear a uniform, does not stand in formation, and wreaks its havoc with these roadside bombs and other terrorist devices they use. It is a different type of war.

We are concerned as well about the status of the Government in Iraq. It is a government in formation. They are trying to put together a constitution.

Two of my colleagues in the Senate, Senator CARL LEVIN of Michigan and Senator SUSAN COLLINS of Maine, a Democrat and a Republican, sent a letter to the President to urge him, in his speech tonight, to make it clear to the Iraqis they have to hold fast to the timetables to form their own government and take responsibility for their own future. Those two Senators, one from each political party, said if they failed to do that, we had to make it clear to them that we would have to reassess our commitment in Iraq.

Those are strong words, bipartisan words, but I think they represent the feelings of many Americans. We have done a great thing in Iraq in removing Saddam Hussein. That was never the issue. The question, of course, was, what would happen afterward. We had a good plan to win the military side of this conflict and to win the war. We did not have a good plan to win the peace. More than 2 years after our invasion of Iraq, more than 1,734 American soldiers have given their lives, more than 13,000 have been gravely wounded. And, unfortunately, those numbers will increase.

Tonight, the President will talk to us about his plan. If this, what we have seen to date, is what the President's plan is in Iraq, we clearly need a much

different plan. We need a plan for success, a plan for victory, a plan that will bring our troops home.

There is a feeling among many of us in this Chamber and across America that we do not have that plan today. The President has to be honest with us about the costs of this war, first in human terms and most certainly in dollar terms. Some of our early allies have picked up and left—more burden on American soldiers, more burden on American taxpayers.

Finally, this Congress needs to do its job, not just to provide the resources for those soldiers in Iraq and Afghanistan but to also make certain there is oversight. Yesterday, Senator BYRON DORGAN, Senator LAUTENBERG, and a few others, held a hearing from the Democratic Policy Committee on Halliburton. Halliburton is, of course, one of the largest contractors in Iraq. Hundreds of millions of dollars worth of contracts have gone their way without competitive bid and with precious little oversight.

What Senator DORGAN and others have disclosed in the course of those hearings is nothing short of shameful. We should be holding every contractor in Iraq accountable to produce good equipment, to produce good armaments, to provide our troops with what they need to succeed and come home safely. But this Congress, dominated by the President's political party, is loathe to even raise these difficult questions. So we have to hold a hearing on Monday mornings and hope that someone will notice as whistleblowers come forward and talk about some of the scandals that are occurring with the contractors in Iraq.

Congress has dropped the ball. We have a responsibility, regardless of who is in the White House and what political party he might belong to, to accept our congressional responsibility to ask hard questions.

President Harry Truman knew that. When he was a Senator from Missouri, he was the one asking the hard questions of Franklin Roosevelt's Democratic administration during World War II: Were they doing their job? Was there profiteering? Were there people taking advantage of taxpayers and our troops? Senator Truman was right with his Truman commission. Unfortunately, in today's Congress, there is nothing coming out of the Republican side of the aisle to ask those hard questions, to make sure our troops get what they truly deserve.

So tonight we will hear from the President that our goal is still democracy in Iraq. It is a good goal. It is one I hope we can achieve. But it is a difficult goal. And we have to understand that the Iraqis have premier responsibility for their own future.

Mr. President, 140,000 or 150,000 American troops, with their lives on the line every day in Iraq, remind us that we went into this war without a plan on how it would end, without an exit strategy. I hope the President will spell that out with some detail this evening. I am not expecting him to say there will be a timetable for withdrawal. He has already said he is not in favor of that. But we need to know what his plan for success will be.

Tomorrow, when we vote on this amendment on the Interior bill on the VA funding, I urge all my colleagues to support this measure for our veterans and for our soldiers. We must appropriate the funds the VA needs to provide our veterans the health care they deserve, to treat both the lasting battle scars that can be seen and those battle scars that remain invisible.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 1038, WITHDRAWN

Mr. SALAZAR. Mr. President, I call for the regular order in relation to amendment No. 1038.

The PRESIDING OFFICER. The amendment is now pending.

Mr. SALAZAR. Mr. President, I, at the outset, thank both Senator BINGAMAN and Senator THOMAS for their willingness to sponsor this amendment, which is an important amendment for counties, especially in the western part of the United States where so much of our land is held in the hands of the Federal Government.

I would like to underscore the importance of the Payment in Lieu of Taxes Program. PILT funds are Federal payments to local governments. We all understand that property taxes are the main source of revenue for local governments. Anyone who has spent any time at all in Colorado or in the West will recognize that local governments there do not have a tax base because the Federal Government owns huge tracts of land in our States. In my State alone, approximately one-third of Colorado is owned by the Federal Government.

Earlier this spring, in my first Senate trip around our great State, I held meetings with local-elected officials. Time and time again, these local-elected officials—mayors and county commissioners—informed me about the importance of full PILT funding and that it is their No. 1 priority.

Sadly, PILT has never been fully funded by this Congress. Congress regularly shortchanges local governments with Federal lands by appropriating less than the authorized levels. To that end, one of the first bills I introduced as a U.S. Senator would make full funding of PILT a mandatory priority for this Congress every year.

In 2005, more than $226 million was distributed to approximately 1,850 local governments in 49 of our 50 States whose jurisdictions contain tax-exempt Federal lands. In my State of Colorado, over $16 million was paid to local communities for over 2.3 million acres of tax-exempt Federal lands. These funds have been used to help improve local schools, water, and road systems.

President Bush's budget request cut PILT funding for 2006 by $27 million. Fortunately, Congress has responded forcefully to that request. The House of Representatives passed a bill with $242 million for PILT funding, and the good work of the Appropriations subcommittee in the Senate has gotten us to $235 million, which is the proposal in this bill.

My amendment would increase PILT funding to $242 million from the current level of $235 million in the Interior appropriations bill. That increase would be offset with $7 million from the Department of Interior's overhead funds.

Earlier this afternoon, I spoke with Interior Secretary Norton and with Senators BURNS and DORGAN about my amendment and my strong desire to see PILT funding as close to full authorization levels as possible. I appreciate the consideration that Senators BURNS and DORGAN have given to my amendment and to the importance of the issue of PILT. I know they will represent the hopes and needs of rural counties in the conference committee and will work to ensure that the conference report is at least at the House level of $242 million for PILT.

Therefore, Mr. President, I ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. SALAZAR. I thank the Presiding Officer and yield the floor.

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

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

AMENDMENTS NOS. 1049, AS MODIFIED; 1060, AS MODIFIED; 1055, AS MODIFIED; 1061; 1030, AS MODIFIED; 1020, AS MODIFIED; 1031; AND 1058, EN BLOC

Mr. BURNS. Mr. President, I call up the following amendments en bloc: amendment 1049, offered by Senator KYL, as modified; amendment numbered 1060, offered by Senator LANDRIEU, as modified; amendment 1055, offered by Mr. BINGAMAN, as modified; amendment numbered 1061, offered by Senator OBAMA; amendment numbered 1030, offered by Mr. BINGAMAN, as modified; amendment 1020, offered by Senator COBURN, as modified; amendment numbered 1031, offered by Mr. BINGAMAN; and amendment 1058, offered by Mr. BINGAMAN.

I ask unanimous consent these amendments be agreed to en bloc.

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

The amendments (Nos. 1061, 1031, and 1058) were agreed to.

The amendments, as modified, were agreed to, as follows:

AMENDMENT NO. 1049, AS MODIFIED

(Purpose: To provide certain earmarks for State and tribal assistance grant funds)

On page 195, line 9, after the semicolon, insert the following: $1,500,000 may be for the

expansion of the wastewater treatment plant in Lake Havasu City, Arizona; $1,000,000 may be for the expansion of the wastewater treatment plant in Avondale, Arizona;''.

AMENDMENT NO. 1060, AS MODIFIED

Page 147, line 25 strike ''$72,500,000'' and insert ''$74,500,000.''

Page 148, line 1 after ''2007'' insert ''of which $2,000,000 is for Historically Black Colleges and Universities.

Page 172, line 4 strike ''$10,000,000'' and insert ''$12,000,000.''

AMENDMENT NO. 1055, AS MODIFIED

(Purpose: To provide for the consideration of the effect of competitive sourcing on wildland fire management activities)

On page 250, between lines 23 and 24, insert the following:

(e) In carrying out any competitive sourcing study involving Forest Service employees, the Secretary of Agriculture shall—

(1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and

(2) take into consideration the effect that contracting with a private sector source would have on the ability of the Forest Service to effectively and efficiently fight and manage wildfires.

AMENDMENT NO. 1030, AS MODIFIED

(Purpose: To modify a provision relating to funds appropriated for Bureau of Indian Affairs postsecondary schools)

On page 182, strike lines 20 through 25 and insert the following:

SEC. 110.(a)(1) For fiscal year 2006 and each succeeding fiscal year, any funds made available by this Act for the Southwest Indian Polytechnic Institute and Haskell Indian Nations University for postsecondary programs of the Bureau of Indian Affairs in excess of the amount made available for those postsecondary programs for fiscal year 2005 shall be allocated in direct proportion to the need of the schools, as determined in accordance with the postsecondary funding formula adopted by the Office of Indian Education Programs.

(2) For fiscal year 2007 and each succeeding fiscal year, the Bureau of Indian Affairs shall use the postsecondary funding formula adopted by the Office of Indian Education Programs based on the needs of the Southwest Indian Polytechnic Institute and Haskell Indian Nations University to justify the amounts submitted as part of the budget request of the Department of the Interior.

AMENDMENT NO. 1020, AS MODIFIED

(Purpose: To express the Sense of the Senate that defense spending should not be underfunded to support increases in non-defense spending)

At the appropriate place, insert the following:

SEC.____ (a) FINDINGS.—The Senate makes the following findings:

(1) The on-budget deficit for fiscal year 2005 is estimated to be $541 billion according to the Congressional Budget Office.

(2) Total publicly-held federal debt on which the American taxpayer pays interest is expected to reach $6 trillion by 2011 according to the Congressional Budget Office.

(3) The United States and its allies are currently engaged in a global war on terrorism.

(b) SENSE OF THE SENATE.—IT IS THE SENSE OF THE SENATE THAT:

(1) The servicemen and women of the United States Armed Forces deserve the full support of the Senate as they seek to preserve the safety and security of the American people.

(2) Activities relating to the defense of the United States and the global war on terror should be fully funded.

(3) Activities relating to the defense of the United States and the global war on terror should not be underfunded in order to support increased federal spending on non-defense discretionary activities.

ORDER OF PROCEDURE

Mr. BURNS. Mr. President, I ask unanimous consent that other than a series of amendments which have been cleared by both managers, all other amendments be withdrawn, with the exception of the following amendments, and, further, that the amendments be considered as follows:

Boxer amendment No. 1023, regarding pesticides; I or my designee with a first degree relating to pesticides; further that there be 120 minutes equally divided to be used concurrently on both amendments, with a vote in relation to my amendment, followed by a vote in relation to the Boxer amendment;

Dorgan amendment No. 1025, regarding Indian health, 20 minutes equally divided;

Amendment No. 1026, offered by Mr. SUNUNU, regarding the Tongass, 30 minutes equally divided;

Senator MURRAY's amendment No. 1052, regarding veterans health; Senator SANTORUM's second-degree amendment to the Murray amendment relating to veterans health; provided that there be 110 minutes equally divided between the two leaders or their designees to be used concurrently on the first and second-degree amendments;

Senator DORGAN's amendment No. 1059, regarding Cuba travel, 20 minutes equally divided; provided that the vote occur in relation to the motion to suspend the rules relative to that amendment; further, that if the motion to suspend is agreed to, the amendment be subject to further debate and amendment;

Senator KYL's amendment No. 1050, 5 minutes for Senator KYL, with the amendment then withdrawn;

Senator SARBANES' amendment No. 1046, 5 minutes saved for Senator SARBANES.

Finally, I ask unanimous consent that the votes occur in relation to the above-listed amendments, with no second degrees in order to the amendments prior to the votes unless otherwise indicated; further that following the disposition of the above amendments, the bill be read a third time and the Senate proceed to a vote on passage of the bill, with no intervening action or debate.

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

MORNING BUSINESS

Mr. BURNS. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

VOTE EXPLANATION

Mr. FRIST. Mr. President, Senator DOLE is unable to vote on amendments this evening because she is in North Carolina where she testified early this afternoon before the BRAC Commission, and this evening is with the President at Ft. Bragg in Fayetteville, NC, where the President is addressing the Nation on the 1-year anniversary of the transfer of sovereignty to the Iraqi people.

Mr. CONRAD. Mr. President, last week I traveled to Grand Forks, ND, to organize and present testimony at a regional hearing of the Base Realignment and Closure, BRAC, Commission on the Grand Forks Air Force Base and Fargo's Air National Guard installation. These facilities are critically important to our national security and to my State's economy. As North Dakota's senior Senator, it was my pleasure and responsibility to host the Commission hearing. As a result, I was necessarily absent from the Senate and missed rollcall votes No. 145–153 on the Energy bill.

PRESIDENT'S ADDRESS TO AMERICA

Mr. KENNEDY. Mr. President, whatever our position on the Iraq war, we should all be concerned that the President does not have a winning strategy on Iraq. Our current strategy is not working, and Congress and the American people know it. I say this with sorrow and regret for our troops, for their families, and for our country.

Administration officials repeatedly claim that the insurgents are desperate, dead-enders, and in their last throes. The American people know they are not. Secretary Rumsfeld insists progress has been solid. With American casualties currently averaging nearly three a day, the American people know it is not. Secretary Rumsfeld insists the Army is not being stretched to the breaking point, but month after month recruiting goals go unmet and generals are sounding the alarm. Secretary Rumsfeld insists that we are not in a quagmire. The American people believe we are.

Secretary Rumsfeld says the administration is not painting a rosy picture. The American people know that they are. By last June, after the President declared mission accomplished, 852 American servicemembers had been killed in action. Today, the number has doubled to more than 1,700. By last June, 5,000 American servicemembers had been wounded in action. Today, the number has nearly tripled to over 13,000. A year ago, the United States had 34 coalition partners in Iraq. Today, we have just 25, and another 5 are scheduled to pull out by the end of the year.

The administration has been consistently wrong about Iraq. The American people know things are not going well and that we need to correct the course we are on. The administration statements do not square with reality, and the credibility gap continues to widen. It is ironic that Americans are learning