

human rights abuses taking place in Iran today and support the efforts of the Iranian people to enact peaceful, democratic reforms.

While we have been focusing on the nuclear weapon development by the Iranians and on their support for terrorism, we should not forget about the plight of the Iranian people and their difficulties under this regime. The bill creates a special envoy to focus on human rights abuses in Iraq and to work with groups who support human rights and democracy in Iran.

The bill provides financial supports to these groups supporting human rights and that are working toward democracy in Iran. Finally, it ensures that the United States broadcast into Iran emphasize U.S. support for the rights and well-being of the Iranian people. We need to focus on the nuclear weapons, and we also need to focus on the rights of the Iranian people being abused by this regime. It is also my hope that we will grant visas to this country to professors being kicked out of universities in Iran because they don't tow the line of the ruling clerics in that country. Currently, the universities are being purged in Iran of the dissident voices of these professors.

We stand with the Iranian people. We stand against this Iranian tyrannical regime. I hope we can move this legislation forward to show our support for the suffering people. I ask the people who go to the meetings where President Khatami is speaking to ask these questions:

Why did he support terrorism? Why did the human rights record get worse under his 8 years of leadership in Iran? Why do they persecute religious minorities and women? Why do they persecute those who have peaceful protests inside Iran? Why does Iran need to enrich uranium when they have plentiful oil and gas supplies? These are serious questions in serious times.

I hope that as we consider this Department of Defense bill, we will consider what the words of those who have vowed to destroy us are and that we take appropriate action against them.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 5631, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

Pending:

Rockefeller amendment No. 4906, to strike the section specifically authorizing intelligence and intelligence-related activities.

Mr. STEVENS. Madam President, what is the pending business?

The PRESIDING OFFICER. The amendment of the Senator from West Virginia, Mr. ROCKEFELLER.

Mr. STEVENS. I ask unanimous consent that that amendment be set aside in order to consider the amendment to be offered by the Senators from North Dakota.

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

The Senator from North Dakota, Mr. CONRAD, is recognized.

#### AMENDMENT NO. 4907

Mr. CONRAD. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself, Mr. DORGAN, Mr. SALAZAR, and Mr. MENENDEZ, proposes an amendment numbered 4907.

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

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

The amendment is as follows:

(Purpose: To enhance intelligence community efforts to bring Osama bin Laden and other key leaders of al Qaeda to the justice they deserve)

On page 230, beginning on line 15, strike "\$19,265,000" and all that follows through line 16 and insert the following: "\$219,265,000, to remain available until September 30, 2008: *Provided*, That \$200,000,000 of such funds is available only for a unit dedicated to bringing to justice Osama bin Laden and other key leaders of al Qaeda: *Provided further*, That the Secretary of Defense shall, not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter, submit to the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate a classified report on progress made by the operations in the global war on terrorism for which funding is provided in this Act, including an assessment of the likely current location of terrorist leaders, including Osama bin Laden and other key leaders of al Qaeda, a description of ongoing efforts to bring to justice such terrorists, a description of the cooperation provided by the governments of any countries assessed as likely locations of top leaders of al Qaeda and by other relevant countries, a description of diplomatic efforts currently being made to improve the cooperation of any such governments, and a description of the status of, and strategy for bringing to justice, perpetrators of terrorism including the top leadership of al Qaeda: *Provided further*, That the Secretary of Defense shall prepare such reports in consultation with other appropriate officials with regard to funds appropriated under this chapter: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con Res. 376 (109th Congress), as made applicable to the House of Representatives by H. Res. 818 (109th Congress) and is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent reso-

lution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234."

Mr. CONRAD. The amendment is on behalf of myself and Senators DORGAN, SALAZAR, and MENENDEZ.

Five years ago, our Nation was viciously attacked by al-Qaida. We all remember the horrific images from that fateful day. I remember so well arriving at the Capitol building for early morning meetings and, as we entered, security personnel ordered an evacuation. Those of us who were evacuated from this building went back to our offices and were again evacuated there, as there was a belief that there was a potential threat to the Capitol complex. Later on, we saw the results of the attack. We saw people jumping from the World Trade Center. We saw the attack on the Pentagon. We did not know, in the early hours, who was responsible, but we knew the world had changed.

I remember very well that night, as Members of Congress stood on the steps of the Capitol showing that we were shoulder to shoulder in defense of America. That night, there were no Republicans, there were no Democrats; there were just proud Americans on the steps of this Capitol, men and women elected to represent our individual States here in this Capitol. In the 20 years I have been in this Chamber, I never saw such unity, such a sense of purpose that we would not let these acts stand and that those who were responsible would be held to account.

We need to renew that spirit. We need Democrats and Republicans standing together to bring to justice those who were responsible for these horrific acts. In this photo is the man who planned, financed, and organized those operations, Osama bin Laden, the head of al-Qaida. It has now been over 1,800 days since those attacks, and this man is still on the loose. This man has still not been brought to justice. I believe it is one of our Nation's highest priorities that he and the other top leadership of al-Qaida be brought to justice. I include Mr. al-Zawahiri. I think we also know that Mullah Omar, the leader of the Taliban in Afghanistan, has not been apprehended and brought to justice either.

To me, this is centrally important to the war on terrorism. We have to get the terrorist leaders who designed the attack on our country. I say to my colleagues that I graduated from high school from an American military base in Tripoli, Libya, North Africa, Willis Air Force Base. I had relatives who were in the intelligence service of the United States who served in that part of the world as well. One thing I learned when I was in that part of the world is that if a fight started, you better get the leaders and you better get them quick; otherwise, it mushroomed and escalated. My experience was very minor. It was on the basketball court, where we would have shepherds periodically come and start throwing

stones. We found out early that you better get a stone and you better nail a couple of their guys or the thing got worse. I think all of us who have studied the Arab world know that in that culture, if somebody attacks and is not held to account, that person grows in stature in that culture.

We have to hold to account Osama bin Laden, al-Zawahiri, and all of the rest of the al-Qaida leadership. I think that is absolutely critical for success in the war on terror. Osama bin Laden continues to call for attacks on us. We are now seeing a Taliban resurgence in Afghanistan. Last month, we saw a plot that may have been orchestrated by al-Qaida to blow up airliners flying between Britain and the United States. Unfortunately, the latest intelligence—and this is not classified, so I am not disclosing any state secrets here—according to the National Institute for the Prevention of Terrorism, the number of al-Qaida operatives worldwide has grown from 20,000 in 2001 to 50,000 today.

Some of our colleagues have likened this to World War II. I don't believe that. This is not like World War II. This is fundamentally and profoundly different. In World War II, we had Hitler Germany attempting to achieve world dominance. In World War II, we had a state, the nation of Germany, attacking its neighbors, seeking hegemony throughout Europe and beyond. We had Germany attacking its neighbors. We had Germany on the move against Great Britain. We had Germany with its allies attacking the Soviet Union. That was profoundly different than a network of terrorists spread in over 70 countries around the world seeking to weaken our country. That is a profoundly different circumstance than we faced in World War II. In World War II, we faced the sneak attack by Japan on the United States, and Japan being allied with Germany in a move to achieve world dominance. That is a profoundly different circumstance than the one we face today. And if we don't adapt our methods and tactics and strategy, we will be less successful.

It is critical that we have this debate, and it should not be a partisan debate. To me, this is not a matter of Republicans and Democrats; this is a question of how does our country succeed in this battle against terrorism? How do we best succeed? My own conviction is, it starts with this man. It doesn't end there, but it starts here. Osama bin Laden has got to be brought to justice. Mr. Zawahiri has got to be brought to justice. Mullah Omar has got to be brought to justice. And I don't question—I don't question the intention of this administration to attempt to do that, but I do note that it has now been 5 years, and there has been a failure to get those who organized the attack on our country. That is a fact. And we need to deal with that fact and we need to adopt new methods, new strategies in order to achieve success. That is my conviction.

These are things that disturb me greatly. In March of 2004, USA Today reported:

In 2002, troops from the fifth special forces group who specialize in the Middle East were pulled out of the hunt for Osama bin Laden to prepare for their next assignment: Iraq. Their replacements were troops with expertise in Spanish cultures.

Let's think about that a minute. After Osama bin Laden, who led the attacks, we put in special forces to find him who were experts in Arab culture and in Arab languages. But when we diverted our attention and moved to Iraq, we pulled those forces out of Afghanistan in the search for Osama bin Laden and replaced them, according to these news reports, with troops with expertise in Spanish culture. There aren't many Spanish speakers or much Spanish culture in Afghanistan. I think this was a profound mistake.

The article goes on to say:

The CIA meanwhile was stretched badly in its capacity to collect, translate, and analyze information coming from Afghanistan.

When some say the center of the war on terrorism is Iraq, I think they have it wrong. The center is in Afghanistan where Osama bin Laden and Zawahiri have been located. I am not saying I know that they are located there now. We know they were located there; perhaps they are somewhere else at this point. But at the time we shifted our focus, I believe it was a mistake. I believe we ought to have focused like a laser on the leadership of al-Qaida. Al-Qaida attacked us; not Iraq. There wasn't a single Iraqi on those airplanes that crashed into the World Trade Center. There wasn't a single Iraqi on the plane that hit the Pentagon. There wasn't a single Iraqi on the plane that went down in Pennsylvania. They were al-Qaida operatives led by Osama bin Laden, not Iraqis led by Saddam Hussein.

I might add that once we took our eye off the ball in getting the terrorists and instead went to Iraq, we have now unfortunately freed up Iran for all kinds of troublemaking in the Middle East. Iran is behind the operations of Hezbollah in Lebanon. Is there any doubt that they are the financial muscle behind that operation? This is a battle. It is a battle that is critically important to our Nation's security, and we have to fight it in a smart and disciplined and focused way if we are to succeed. That is my belief.

Now we learn that the CIA has closed the unit that is focused on the capture of Osama bin Laden. This report from July of this year says:

The Central Intelligence Agency has closed the unit that for a decade had the mission of hunting Osama bin Laden and his top lieutenants. The unit, known as Alec Station, was disbanded late last year and its analysts reassigned within the CIA Counter-Terrorist Center.

The article goes on to say:

In recent years, the war in Iraq has stretched the resources of the intelligence agencies and the Pentagon, generating new priorities for American officials.

I believe the priority remains getting those who attacked us. It wasn't Iraq that attacked us; it was al-Qaida that attacked us, and it is critically important we hold them to account.

On August 21, the President said this:

The terrorists attacked us and killed 3,000 of our citizens before we started the freedom agenda in the Middle East.

He was then interrupted by a reporter who asked:

What did Iraq have to do with that?

The President:

What did Iraq have to do with what?

The reporter:

The attacks upon the World Trade Center.

The President:

Nothing.

That is correct, nothing. We know from the 9/11 Commission Iraq was not involved in the attacks of 9/11. It was al-Qaida—al-Qaida led by Osama bin Laden. That is where we have to focus. And this, to me, is not a political debate. This is a question of the strategic policy of the United States. How do we best defend America against those who have already attacked us and intend to attack us again? I would submit the first thing we have to do is get the leadership of the organization that is worldwide in scope, that seeks to take us down. Make no mistake, this is a battle with real consequences, and we have got to fight it in the smartest, most effective way.

It has now been 1,823 days since Osama bin Laden attacked us. Madam President, 1,823 days; that is a long time. That is nearly 5 years. The President just issued a new intelligence estimate and analysis. There is only one mention of Osama bin Laden in that document, and it is a reference in passing.

I don't think it should be a matter that is mentioned in passing. I deeply believe we have to refocus and we have to go after, in a disciplined and dedicated way, the leadership of al-Qaida, starting with Osama bin Laden, going to Zawahiri, and right down the list. I applaud those successes that we have had in getting Zarqawi and others. Thank God for that. But we have got to get those at the top.

This amendment adds \$200 million to the intelligence budget for a unit explicitly dedicated to bringing Osama bin Laden and other top al-Qaida leadership to justice. The second part of this amendment requires a classified report every 90 days on activities of our Government related to bringing Osama bin Laden to justice. A classified report because, obviously, we don't want to signal the game plan.

This is the amendment that I offer, and I thank my colleagues who have cosponsored it with me: Senator DORGAN, my colleague from North Dakota; Senator SALAZAR from Colorado; Senator MENENDEZ from New Jersey; and now I am informed that additional Senators have asked to join, including Senator LINCOLN of Arkansas, Senator KERRY of Massachusetts, and Senator OBAMA of Illinois.

I ask unanimous consent to add them as original cosponsors of the amendment.

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

Mr. CONRAD. Madam President, I yield the floor.

Mr. DORGAN. Madam President, Senator CONRAD and I have, over the last 2 days, talked about the need for an amendment of this type to be offered to the Defense appropriations bill. We have talked about several different ways of offering this amendment and the circumstances that require us to come here and draft an amendment and offer it to our colleagues. This amendment represents some discussions, as well, with colleagues. I want to say that almost all of that which persuaded us to do this has now been described by my colleague, Senator CONRAD.

He talked about 9/11 2001. I recall going to Ground Zero in New York as the fire was still burning, smoke coming out of the wreckage of the World Trade Center from the bombing of the trade center by the terrorists and the murder of 3,000 innocent Americans. And as we toured just several days after those terrorists had hit the World Trade Center in New York, and the smoke was still billowing out of that twisted steel wreckage, one of the grizzled firefighters who had not shaved for several days, obviously had not slept, had bloodshot eyes, came up to me as we were touring—a group of Senators—and he said to me: “Get ‘em. Ya’ll have to get ‘em. If you don’t get ‘em, they are going to do it to us again.”

Having worked in this wreckage of the World Trade Center and having seen the carnage and the bodies, what he meant was that if we don’t get those who did this, they will repeat it. That firefighter was speaking with a real passion, a passion that I think is shared by the American people. That passion was shared on that day and it is now, today.

That attack on 9/11—my colleague showed a picture of it—was with commercial airplanes loaded with fuel used as weapons. The New York Times ran a piece on August 11, 2004, by Nicholas Christoff, about a book by Harvard professor Graham Allison called “Nuclear Terrorism.” Allison told a story in this book that exactly 1 month after 9/11, on October 11 in 2001, aides told President Bush that a CIA source named Dragon Fire had reported that al-Qaida had obtained a 10-kiloton nuclear weapon, apparently stolen from Russian stockpiles, and had smuggled it into New York City, and al-Qaida terrorists were now prepared to detonate it. This is described in some detail in the book.

The CIA apparently found this report plausible. They knew that apparently Russia had small 10-kiloton nuclear weapons. Russia was reported to have lost some nuclear materials. Al-Qaida had made a determined effort to acquire them. The CIA had apparently picked up al-Qaida chatter about an

“American Hiroshima.” This issue was taken very seriously in October of 2001. Later it was determined the lead by the agent named Dragon Fire was a false lead. But in retrospect of this issue, all of those who evaluated it determined it could well have been true.

It is not implausible that a nuclear weapon could be stolen. After all, there are some 30,000 nuclear weapons on this Earth. It is not implausible that having a nuclear weapon stolen by a terrorist group, it could be detonated. And it is certainly likely they would attempt to detonate a nuclear weapon in the center of a major city, especially a city in the United States.

I describe that only to say these issues are critically important. Yes, 9/11 breaks our heart—all of the innocent Americans killed by acts of terrorism. But that will be an event that will be small by comparison if, in fact, a nuclear weapon is acquired by a terrorist group like al-Qaida and detonated in an American city in the future.

There are responsible people who have said they believe there is a very substantial likelihood such an event could or will happen in the next 10 years, unless this country provides the leadership to stop the spread of nuclear weapons, stops the proliferation of nuclear weapons and does everything necessary to keep nuclear weapons out of the hands of terrorists.

The evil of terrorism requires and demands a unified American resolve. As my colleague has previously said, when it comes to fighting terrorism, there are no D’s or R’s, there are no Republicans or Democrats, conservatives or liberals, there are only Americans resolved to confront this evil.

We are determined to confront and defeat those who are intent on murdering innocent people in the name of terrorism. We fight terrorism to preserve freedom, but we betray rather than serve our freedom if we turn a blind eye to the actions which will diminish the very freedoms we cherish, even as we confront the actions of terrorists. As we wage this fight against terrorism, we do not serve the interests of our country by labeling others who may disagree with strategies as appeasers, of the type who appeased Nazism. That does not serve America’s interests either.

I have heard colleagues today come to the floor to lament that there have been some criticisms of Administration strategies. Let’s all understand no one is perfect. Big mistakes have been made. Mistakes, and big mistakes, have been made, both with respect to Iraq and also with respect to the war against terrorism.

In Iraq, we discovered later there were no weapons of mass destruction. There was no yellow cake from Niger. The aluminum tubes were not for the purpose of building a nuclear capability. There were no mobile chemical weapons labs. Would we be treated as liberators as was suggested? No. It turns out that was not the case.

Were mistakes made? Two days ago, a young fellow who left law school after 9/11 to enlist in the Army to go to Iraq told me that when he got to Iraq his mother, an elementary schoolteacher, had to go on the Internet to buy body armor to send it to him. Were mistakes made? You darned right mistakes were made. Mistakes were made. Let’s understand that. Recognizing and understanding that and admitting it allows us to decide not to make those mistakes again.

All of us are here to support our soldiers in their fight against terrorism, in their mission in Iraq. Let me say, as an aside as well, that the violence and terrorism in Iraq does have an al-Qaida component; it does. But by far the bulk and the majority of the violence and terrorism in Iraq is Iraqi upon Iraqi, Sunni upon Shia, Shia upon Sunni. There was not an Iraq connection with al-Qaida prior to the war in Iraq.

Having said all of that, with respect to the broader war on terror, when we open the newspaper this morning and we see the front page of the Washington Post—and I suspect every other daily paper in this country—and we see the pictures of terrorists who will now be transferred to Guantanamo and be brought to justice, all of us say to the President it is the right thing to do. We support that. Yes, this is progress. We understand that progress and we salute it.

My colleague and I believe there is more to do, however. When we talk about the war against terrorism and we talk about al-Qaida and those who have orchestrated the vicious terrorist attacks that have murdered so many innocent people in this country and around the world, the point is there is one person who is the head of that organization, who has admitted ordering the attacks against this country. That is Osama bin Laden. It is 5 long years since 9/11, 2001, and Osama bin Laden is still here.

The President, day before yesterday, mentioned Osama bin Laden 17 times in his speech of 45 minutes. That is appropriate to do, although I might observe Osama bin Laden has not been mentioned at all with respect to the war on terror by anyone in the Administration for some long while until a couple of days ago. But I want to describe why I think there is an urgency here and why my colleague, Senator CONRAD, and I put together an amendment and are offering it to this bill.

I have a record here going back to December 13, 2001—it is about eight pages of Osama bin Laden talking to us, in America, talking to people in the rest of the world, and talking to al-Qaida, his organization. It is December 13, 2001; November 2, 2002; February 11, 2003; February 13, 2003; April 7, 2003; September 10, 2003. I shall not go through the rest of it. But I want to talk about this year. Just this year we have heard from Osama bin Laden on 5 occasions. This chart shows January 19 this year. This is from the news report

that evening, Osama bin Laden speaking to the people of the United States and the people of the world. That is the first message this year.

Here is the second message, Osama bin Laden speaks again, the head of al-Qaida, 5 years after 9/11. On April 23, he issues his second tape of the year.

May 23, this year, once again the news reports:

Bin Laden boasts of masterminding the 9/11 attacks.

I was responsible for entrusting the 19 brothers. Those 19 who attacked this country.

June 29 of this year, another news report, the fourth tape of the year by Osama bin Laden.

July 1, this year, the fifth tape of the year by Osama bin Laden.

We are talking a lot about the war on terrorism. We are talking a lot about al-Qaida. This is the head of al-Qaida. This is the leader of that terrorist group. This is the person who says he masterminded the attack against this country, and 5 years after that attack he is still sending us messages—five of them in this year alone. My colleague and I do not question anyone's commitment to doing the right thing. That is not the purpose of our amendment. My colleague, Senator CONRAD, and I believe, however, that it is important as we put together a piece of legislation providing funding for the Department of Defense, for the war against terrorism, that we decide on focus and priority with respect to one issue and that is bringing to justice the head of an organization that attacked this country and is determined to attack this country again.

The amendment we have offered is not a particularly complex amendment. It simply does two things. It asks that the unit in the CIA, our intelligence community, that used to exist but was closed be reconstituted. Let me describe that unit. I will describe it by a New York Times, July 4, story. The lead of the story is:

The Central Intelligence Agency has closed the unit that for a decade had the mission of hunting Osama bin Laden and his top lieutenants, intelligence officials confirmed on Monday. Agency officials said that tracking Mr. bin Laden and his deputies remained a high priority and that the decision to disband the unit was not a sign that the effort had slackened. Instead, the official said, it reflected a belief the agency could better deal with high level threats by focusing on regional trends rather than on specific organizations or individuals.

Let me quote the former senior CIA official who is quoted by name, Mr. Michael Scheuer, a former senior CIA official, who was the first head of this unit at the CIA. He said the move "reflected a view within the agency that Mr. Bin Laden was no longer the threat he once was." Mr. Scheuer says, "That view is mistaken."

Madam President, our amendment would provide the funds to reconstitute that unit, to provide focus, clarity and a specific set of goals. And, second, to require a quarterly classified report to

the Congress that would describe, from the standpoint of those in the intelligence community and the defense community who are involved, what they have done with respect to apprehending and bringing to justice those who head the organization called al-Qaida.

My hope and expectation would be that upon passage of this amendment my colleague and I will have provided some more clarity and some more focus and even perhaps some more determination that a significant goal of ours is the apprehension of the head of the organization that attacked our country. I do not think that apprehension will occur by accident. I think it will occur if it is in fact a significant goal and one that we pursue with the resources and the vigor that is necessary.

I understand that there will be some who say that we have other priorities; this remains a priority but there are many other things to do. Let me go back to the position that I started with and that is this. We live in a very dangerous world, a very uncertain world. The President is dead right when he talks about the war on terrorism being a war in which we must prevail. He is absolutely right that we have to work together and have to be as one as we confront this evil that exists around the world.

But I also want to point out that we live in a world, now, where, as I indicated before, there are almost 30,000 strategic and tactical nuclear weapons that exist in this world. Going back to October 11 of 2001, the threatened loss of one of those nuclear weapons, because of a rumor that it had been stolen from the Russian stockpile, caused an apoplectic seizure in parts of the government because everyone, at that point, in the intelligence community, who had heard of this rumor, knew it was plausible and that the detonation of a nuclear weapon in a major American city by al-Qaida would be devastating. The consequences of that are impossible to describe. The next terrorist act may render the attack of 9/11/2001, a much less significant attack in terms of casualties. Let's hope that is not the case.

That is why it is so urgent for us to determine that we are going to apprehend and bring to justice those who head the al-Qaida organization and who masterminded the attack against this country on 9/11/2001. That is what our amendment seeks to do, to provide the resources and the assistance to make that possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I ask unanimous consent that Senator PRYOR be added as an original cosponsor as well.

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

Mr. CONRAD. Madam President, I ask the Senator from Massachusetts if he seeks time on this amendment.

Mr. STEVENS. Madam President, we have time on the floor. I seek recognition.

Mr. CONRAD. Madam President, I have not relinquished my right to the floor. I simply asked a question.

Mr. STEVENS. He is right.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from North Dakota.

Mr. CONRAD. Mr. President, this amendment is an urgent matter. I hope very much our colleagues would support this amendment on a bipartisan basis so that we send the clear message that this country intends to hold to account those who organized the attack on America. I think that is absolutely essential.

I also say to my colleague, if the Senator from Alaska seeks recognition, I will be happy to yield the floor so he can do that.

I ask him at this point if he would have an interest in a time agreement on the amendment? We were approached earlier with a request on that matter. I would be happy to explore that, if the Senator from Alaska has any interest.

Mr. STEVENS. If that is an inquiry to me, I am interested in a time agreement, without any question. I am happy to set a time to vote, at noon or at any time.

Mr. CONRAD. We would be happy to agree to a time. Would noon be an acceptable time?

Mr. STEVENS. We are checking.

Mr. CONRAD. Perhaps later on in this discussion we can reach an agreement. We would certainly be willing to agree to that.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I would welcome the opportunity to make some brief comments on this amendment.

The PRESIDING OFFICER. The Senator from Massachusetts has been recognized.

Mr. KENNEDY. Mr. President, I commend my colleagues from North Dakota and Colorado and others who are supporting this amendment. In many respects, this gives real focus to what I think is part of the dilemma that we are facing in our battles with al-Qaida and the issues of security. A number of us opposed the resolution to go to war in Iraq. I did. I said it was the best vote that I cast in the U.S. Senate. And I did it primarily as a result of listening to military commanders in the Armed Services Committee.

We had testimony—although he didn't testify personally—from General Zinni. We listened to General Hoar of the U.S. Marine Corps, actually from my own State of Massachusetts. We listened to General Wesley Clark and General Nash—a number who have been combat commanders. If you look back in terms of the history and the testimony of those military commanders, virtually all of them were saying to the Armed Services Committee that we ought to keep our focus

on what was really the challenge: Osama bin Laden, al-Qaida, and Afghanistan. That was the testimony before the Armed Services Committee.

I will not take the time now to repeat the series of statements and comments that were made by the President and the Secretary of Defense. I remember the testimony of the Secretary of Defense before the Armed Services Committee when he talked about weapons of mass destruction. He was asked at that time by the ranking minority member, Senator LEVIN. His response was they were north, south, east, and west of Baghdad. That was where the weapons of mass destruction were. That is the testimony of the Secretary of Defense.

We remember all of those comments. We saw the Nation move and shift thinking that there were weapons of mass destruction, and al-Qaida was the primary force in bringing about 9/11. Of course, there wasn't adequate intelligence to justify that. Even the President admitted that there were no weapons of mass destruction. Even the bipartisan 9/11 Commission's thorough examination shows very clearly that those were the representations made by the Vice President of the United States.

During that period of time, the combat commanders who testified understood where we were going—the real challenge was finding Osama bin Laden. We saw the extraordinary efforts that were made by the military, all of which had this Nation focused on trying to get al-Qaida. The world was supporting the United States. The world understood that the United States had been assaulted and attacked. The world intelligence community was coming together and saying we are going to help the United States of America find the person who perpetrated the 9/11 attack in the United States. All of that was happening all over the world.

Then what happened? The judgment and the decision was made in the White House: Well, we have the role of going over there to Afghanistan, so we are going into Iraq. The rest is history.

In spite of the fact that Osama bin Laden was on the run, despite the fact that the intelligence reports showed that he was just within hours of almost getting captured, the diversion of both troops and diversion of focus, the diversion of intelligence went to Iraq.

Now we have an amendment to try to get us back in focus on the primary individual who was the organizer of 9/11.

I share the concerns that have been stated by both Senators and the frustration when the judgment and decision was made by the Pentagon that they no longer had the priority of going after bin Laden.

We all understand the complexities of trying to find him in the mountainous areas around Afghanistan's border and into Pakistan. We all understand those complexities and those difficulties and the political problems and

all the rest. But, nonetheless, we had the world combined to find him and bring him to account. We have failed to do so.

I think this amendment brings the Senate, in hopefully a bipartisan way, to say we want to give focus and attention to finding and bringing to justice Osama bin Laden.

Listening to Senators, I am mindful that at the end of this year we will have been fighting the war in Iraq longer than we fought in World War II. Understand that we took on the Germans in western Europe, north Africa, the Japanese in the Far East, mobilizing 12 million to 14 million people over this period of time. And we will have by the end of the year—we are now in September—we have been fighting in Iraq longer than we fought in World War II—28 million people. We virtually occupied with air supremacy over the whole country—the top third of it and the lower third of it was a heavy embargo, violations of embargoes. But the amount was \$14 billion a year in terms of the military, and we now have servicemen still weighted down over there.

I agree with those who said the service men and women have done their job. The politicians haven't done theirs with regard to Iraq.

That doesn't get away from the point that our focus has been diverted to Iraq.

We have seen the number of al-Qaida grow. According to the National Security Project, in 2001 it was 20,000. In 2006, it is 50,000. The number of al-Qaida terrorist attacks 5 years before 1991 was 3. But now the number 5 years since 9/11 is 30. We have the growth happening all over the world and no accounting for Osama bin Laden.

This is what has happened with al-Qaida. The number of significant global terrorist attacks reported by the U.S. State Department in 2003 was 175. The number exceeded 3,000 in 2004, and 11,000 in 2005.

Look at the growth. We are weighted down in Iraq, and Osama bin Laden is out there someplace.

This amendment makes a great deal of sense. I thank both my colleagues for doing something. This is a small amount of resources which are asked for. Look at what we are spending, more than \$200 million a day in Iraq. I believe this is \$20 million—\$200 million a day we are spending in Iraq.

Do we realize that if we weren't spending \$200 million a day—and over \$350 billion has been expended—what we could have done with regard to homeland security? How could we have protected Americans with those resources more effectively? How could we have gone after al-Qaida more effectively? How could we have enhanced the security of the American people more effectively?

This has been a catastrophic miscalculation on the part of the administration, and the amendment of the Senators is trying to give focus and at-

ention and priority to where we ought to give focus and attention and priority.

I commend them for doing something.

I hope this amendment will be accepted and embraced and passed overwhelmingly.

Mr. STEVENS. Mr. President, it has been cleared on this side by Senator INOUE and myself.

I ask unanimous consent that the Senate proceed to a vote in relation to the pending Conrad amendment at 12 noon, with no second-degree amendments in order prior to the vote, and with the time equally divided between the two managers or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. There is no objection on our side.

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

Mr. STEVENS. Mr. President, I am, as are the Senators from North Dakota, quite worried about this amendment. It is my intention to ask the Senate to vote. It is my understanding that they want a vote on this amendment. It is my intention to ask every Senator to vote for the amendment.

It is a political season. I understand that. I consider this amendment to be a slam at the intelligence community.

I can tell the Senate that there is more money than this available. If I tried to discuss the amount of money which is available, I would be violating my oath as far as confidential and classified material. For reasons of national security, I cannot elaborate on that.

I arranged for the two Senators from North Dakota to be briefed about the programs which Senator INOUE and I know about. We urged them not to offer this amendment. There are many funds dedicated in our bill for the global war on terrorism. There are funds in our bill to continue the search for Osama bin Laden. That has never lapsed. It does not need this amendment.

The classified annex accompanying this bill provides details of classified programs in this bill, and they are available to every Senator in room 405 if they want to question my view. Those were offered to the Senators from North Dakota. I do not know whether they took advantage of that or not.

We cannot discuss those programs here. We would jeopardize the lives of many people if we did so.

I know of no way to handle this amendment except, as I said, I ask all Senators to join and vote for this amendment and to trust Senator INOUE and myself to find a way to deal with it in conference. Maybe the Senate will listen to us when we come back.

I remember once, years ago when I offered an amendment to provide funds to deal with Osama bin Laden, offering a reward of dead or alive. That was objected to by a Member on the other side of the aisle.

I note that this amendment says to bring Osama bin Laden to justice. To bring him to justice—does that mean dead or alive? Must we keep him alive if we find him?

There are a lot of things we could discuss on the floor of the Senate about this issue.

I am going to sit down in a minute and I am not going to answer any questions. I am not going to discuss it any more because I consider it to be an irresponsible amendment that should never have been brought before the Senate.

With all of these pictures, it is a campaign period. But to imply to the American public that we have not been looking for Osama bin Laden for years—I can tell you, I am not going to press my friend from Hawaii, but we have spent hours and hours and hours with the intelligence community seeing how we can better devise methods to find this man.

I can assure the Senate that without any question the search for Osama bin Laden has not been hampered by a lack of funds. It has not been hampered by a lack of funds in this bill. If I tried to tell you where the funds are, I would violate my oath.

It is time for us to come to some understanding about what led to this amendment. It was the President's statement the other day. I was there. The conversation on this floor misses the point. It was not Hitler during World War II he was talking about; it was Hitler before World War II. Let me quote what he said on September 5. I listened to it. He said:

In the 1920's, a failed Austrian painter published a book in which he explained his intention to build an Aryan super-state in Germany and take revenge in Europe and eradicate the Jews. The world ignored Hitler's words, and paid a terrible price. His Nazi regime killed millions in gas chambers, and set the world aflame in war, before it was finally defeated at a terrible cost in lives.

Bin Laden and his terrorist allies have made their intention as clear as Lenin and Hitler before them. The question is: Will we listen? Will we pay attention to what these evil men say?

The world can tell I am close to losing my famous temper. I do have one. As I said, I arranged for these Members to be briefed on information that is in this classified annex. I don't understand this amendment.

I intend to let the Senators have their half of the time. The balance of the time will be spent in a quorum.

I yield to my friend from Hawaii.

Mr. INOUE. Mr. President, the record should show that there are significant amounts of money allocated in this bill to several agencies. But to go beyond that and discuss in greater detail would be, as the chairman indicated, a violation of the rules of classification. I will cease at this point.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I say to my colleague that it is a curious conclusion to suggest that adding more re-

sources to the intelligence community for the purpose of bringing to justice Osama bin Laden is a slap in the face to the intelligence community. It is no slap in the face to the intelligence community. If anything, it is a vote of confidence in the intelligence community.

We owe the country this debate and this discussion. I believed when we went to Iraq we were making a mistake. I said on the floor of the Senate right before that vote that I thought we were diverting our attention from those who attacked us. It was al-Qaida, led by Osama bin Laden, not Iraq, led by Saddam Hussein. The simple fact is we have not brought them to justice.

The Senator wonders, what does it mean to bring to justice? We all know what it means to bring someone to justice. Osama bin Laden deserves to be brought to justice. There is no one in this Chamber who doesn't know what that means.

The Senator says this amendment is irresponsible. I think it would be irresponsible not to have this amendment.

The Senator indicated that he asked us to be further briefed yesterday. We did that. There is not one thing I heard in that room that doesn't tell me that what we are seeking to do here is not the right thing, the responsible thing. We cannot talk about those briefings, and we will not talk about them.

Finally, I say to my colleague, this is not political with me. I don't need a political amendment. Anyone who has analyzed my race knows that what I am saying is true. I don't need a political amendment. I have a responsibility to my constituents and to the future of our country. I believe deeply we have not done the job of protecting America when we have failed for 5 years to get the man and the leadership cadre of al-Qaida that organized the attack on this country. I don't choose to make this political.

I made very clear in my statement that I don't question for one moment the commitment of this administration to protect America. I don't question for one moment the intention of every Member on both sides of this aisle to protect our country. I don't question that. I did not make this a political matter; I make this a matter of policy—what is the right thing to do for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, there are areas of classified information that are not discussed in the Senate. Senator CONRAD has just described that we both have had access to that information. It is the information to which my colleagues allude. There is nothing—I repeat, nothing—that we are doing here that does anything to injure anything else that was being done anywhere, at any time. There is nothing here that does injury to anything I know about.

Frankly, it is far too easy to jump up from a chair in the Senate and allege

that the amendment you do not like is somehow borne of politics. Yes, there is a barrel full of politics around these days, a barrel full of politics in this Chamber and downtown. We know it when we see it. But I think it ill serves this discussion to talk about irresponsibility, to talk about politics on the issue of what the role of this country is, the determination and the resolve of this country, to decide to provide more focus, more clarity, and more energy to apprehending the head of al-Qaida, Osama bin Laden, the person who masterminded the attack against this country. Again, there is never a circumstance where anyone would find myself or my colleague, Senator CONRAD, coming to the Senate to do injury to anything else we are doing in this country together.

I indicated when I started that I don't think the fight against terrorism is about Democrats or Republicans. It is certainly not about politics, or shouldn't be. However, it is almost unbelievable to me that this amendment is described as "political season" campaign period-motivated and, even more, a slam at our national security. Nothing could be further from the truth than that. This is not slamming anyone. This is trying to provide additional resources, additional focus, additional energy toward a goal that I hope every single American shares. In fact, I bet we would be hard pressed to find an American citizen who says this is not a worthy goal for our country.

My colleague has said that there has been a continuing, unwavering effort to apprehend the top of the terrorist groups, including the leaders of al-Qaida. Let me read, from 2002, the President's response when asked about Osama bin Laden:

I don't know where he is. I know I just don't spend much time on him, to be honest. I am not truly that concerned about him. I know he's on the run.

The fact is, there have been times when we have been diverted to other areas. Does anyone here believe Iraq has not detracted substantially from what is happening in Afghanistan? Does anyone here believe that? Most of us have been over those mountains. I have flown over those mountains and looked down at the mountains between Afghanistan and Pakistan. That is where most believe Osama bin Laden is hiding, among supporters. I understand how difficult it is to apprehend someone hiding in that region. I don't diminish the difficulty and the complexity of accomplishing that mission.

My colleague and I offered an amendment which is relatively simple which tries to provide more focus and more clarity on the goal, which tries to provide resources. These resources are not dramatic or substantial resources relative to the amount of money we have been spending, for example, in Iraq.

A Member brings an amendment to the floor and someone says: This is political, this is campaign season. That is too easy. I don't think that treats serious issues seriously enough. This is an

issue which is serious. It is an issue that deserves attention by this Congress, deserves a statement by this Congress, which I expect we will make unanimously, I hope we will make unanimously. It is a statement that almost every American, I believe, would say they agree with, a statement that says to the American people: Here is a priority, a very substantial priority for which we will dedicate the resources and rededicate ourselves to address these issues.

My understanding is the Senator from Alaska will seek a quorum call, which is just fine.

Mr. KENNEDY. Will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mr. KENNEDY. I listened with great interest to both of my friends and colleagues in their comments.

As I understand, the amount included in the Senator's amendment is \$200 million to be expended over a 2-year period?

Mr. DORGAN. The Senator is correct.

Mr. KENNEDY. And the Senator mentioned a figure, and it is my understanding we are spending \$200 million a day, virtually, in Iraq at the present time. I think that gives some proportion as to requested resources—\$200 million a day in Iraq and \$200 million over a 2-year period for this effort.

I thank the Senator.

Mr. DORGAN. I think the Senator puts in perspective the amount of money that is being described.

Let me finally say that I noticed yesterday—I was not in the Senate, but I had the television on—noticed the same issue developing yesterday on an amendment my colleague offered. There was a suggestion that this is all political, all politics, every time someone offers an amendment that someone disagrees with. That is total nonsense. This issue deserves much more serious treatment and much more serious debate than that.

I am pleased that apparently there will be a unanimous vote.

I yield the floor, and I reserve the remainder of time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I will discuss a bit more fully what led me to this amendment. It is not the President's comments of several days ago. That was not the genesis of this amendment. I have believed since we went to war in Iraq—anyone can look at the record and what I said in this Senate the night of the vote—I said then that I believed going to Iraq was a distraction. I believe it diverted our attention and resources from going after the al-Qaida leadership that organized the attack on America. I said that then. I believed it then. I believe it now.

I have a bit of a different background from many of my colleagues. I went to high school at an American military base in Tripoli, Libya, North Africa. I lived in the Arab culture. One of the

ironies was the Senator from Alaska suggested this is a slap in the face at the intelligence community. My family served in the intelligence services of our country in that part of the world. I am precluded from going further than that because of classification issues. I have great respect for those who serve in the clandestine and the intelligence services of our country. I have consulted many of them in writing this amendment.

I believe deeply this is the right approach to operationalize, to more fully fund the efforts, not only to get Osama bin Laden—although I believe he is at the top of the list—I also believe it is critically important to get Zawahiri, I believe it is critically important to get Mullah Omar. I regret deeply that resources were transferred from Afghanistan to Iraq. That we had forces that were experts in Arab culture and Arab language and we shifted them to Iraq.

The hard reality is, while there have been successes, which I acknowledged in my opening remarks—I would say to the Senator from Alaska, there have been very excellent successes. Getting Zarqawi, thank God, we got him. Thank goodness for each of those who have been captured and taken out of operational involvement in planning additional attacks on the country.

But the job is not done. We know that. I believe very strongly that we made a strategic error in going to Iraq. I said it then, I say it now. I believe the focus and the energy and the attention ought to have gone—the priority ought to have been al-Qaida, its leadership, and its worldwide network.

I believe this is fundamentally different than World War II. I believe this is a long and difficult struggle. I believe this is a dangerous world. I believe there are people who are plotting right now to again attack our country. And I want to be part of an effort to do everything we can to stop them. That is why I offer this amendment, and for no other reason.

Mr. President, I ask unanimous consent that Senator DAYTON be added as an original cosponsor of the amendment.

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

Mr. CONRAD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. There is 8 minutes 49 seconds remaining.

Mr. DORGAN. Mr. President, I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time?

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, let me read one additional piece I did not describe in my earlier presentation. Let me read from the State Department's latest report on terrorism because I think it is important for all of us to understand.

This is, again, from the U.S. State Department's latest report on terrorism:

Al-Qaida's top leaders continue to plot and direct terror attacks worldwide. . . . Over the past four years, al-Qaida, its affiliates and those inspired by the group were also involved in many anti-U.S. or anti-coalition attacks in Africa, Europe, the Middle East, Afghanistan, Pakistan, and Iraq, including suicide bombings and vehicle-borne improvised explosive devices.

Again, the first sentence:

Al-Qaida's top leaders continue to plot and direct terror attacks worldwide. . . .

“Direct terror attacks worldwide”—it is why I think there is no more important goal for this country than to add additional resources, provide additional focus to this question of bringing to justice the head of the organization that has attacked this country and that now organizes and expands and continues to attack around the rest of the world.

I previously described that just in this year alone we have been the recipients of five messages from Osama bin Laden—five just this year. It has been dozens since 2001. I think all of us share a goal and the view that we need to apprehend and bring to justice those who head the organization that attacked this country.

Fighting terrorism is difficult and dangerous and complex. We understand all that. All of us salute our troops. All of us want to work together. As I have indicated, this is not about Republicans and Democrats. It is about Americans sharing and aspiring to achieve a goal. And that goal is to defeat terrorism.

I think the most effective and important way to defeat terrorism, however, is to try to dismantle the organization, and especially dismantle the organization by apprehending the head of that organization and bringing the head and top officials of that organization to justice.

That has not been done, and we are not blaming anybody. I join my colleague, Senator CONRAD, in saluting those in our intelligence service and our military who risk their lives every day. But I believe it is very important for us, as we put together a piece of legislation with substantial resources, to provide greater clarity and focus on this goal. That is why Senator CONRAD and I have written this amendment and offer it today.

I understand there are some who do not want it offered, do not want to have this discussion. I respectfully believe they are wrong. I do not allege that they have political motives. I just believe they are wrong. My hope is,

when the Senate speaks to this, it will have accomplished something that is productive and substantial in its comments on this issue.

Mr. President, I yield the floor.

The PRESIDENT pro tempore. Who yields time?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, there are other Members who are on their way who wish to speak on this matter. I do not know if they will make it.

Senator MENENDEZ has arrived.

I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). Who yields time?

Mr. CONRAD. I say to Senator MENENDEZ, we could give you 2 minutes.

Mr. MENENDEZ. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to strongly support Senator CONRAD's and Senator DORGAN's amendment and to join with them in it.

It seems to me, as someone who on the anniversary of September 11 is reminded of the 700 New Jersey lives that were lost on that fateful day, as well as all of those other Americans who lost their lives on that fateful day, that the central figure, the individual who was the mastermind of their deaths, who struck on that fateful day, is Osama bin Laden. It is very clear to me that we must either catch or kill Osama bin Laden, the mastermind of those attacks.

I know many Americans were as shocked as I was when they heard the news reports that the administration had allegedly closed down or realigned the Osama bin Laden unit at the CIA. And while there is a very difficult process to publicly confirm these reports, I believe the Senate must make it very clear that the United States can in no way reduce or dilute our efforts to kill or capture Osama bin Laden.

With this amendment, we ensure that not only is that unit not disbanded and not merged and not diluted, but, in fact, we ensure that we increase our efforts.

To anyone who would like to argue that we do not need to focus on al-Qaida or bin Laden, I would remind them that just because there has not been another terrorist attack on U.S. soil that does not mean al-Qaida has been eliminated or that bin Laden has been rendered ineffective.

So I am in incredibly strong support of Senator CONRAD's amendment. Perhaps the face of Islamic terrorism has evolved, but he still is our central focus.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from North Dakota has 1 minute remaining.

Mr. CONRAD. Mr. President, I yield 1 minute to the Senator from New York.

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

Mr. SCHUMER. Mr. President, I thank my colleague from North Da-

kota. And I thank both of my colleagues from North Dakota for offering this outstanding amendment.

If there were ever a metaphor for what is wrong with the war on terror, it is the fact that Osama bin Laden is alive. He continues to taunt us on al Jazeera broadcasts that we have not found him.

Now, if we said we were doing everything we could to find him, that would be one thing. But the unit to get him was disbanded. Many report that the number of troops in Afghanistan is not adequate. They have just asked for more today. And he is our No. 1 danger.

So I hope my colleagues on both sides of the aisle will support this amendment. The fact that 5 years after 9/11 we have not yet found bin Laden shows we can do a whole lot better in the war on terror than we are doing.

This amendment will help bring us there. I urge full bipartisan support of it.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Alaska.

Mr. STEVENS. Mr. President, I announce to the Senate that the next vote will be Senator DOMENICI's 13,000th vote.

I also announce to the Senate that my younger brother, from Hawaii, Senator INOUE, has a birthday today.

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. STEVENS. 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. STEVENS. Mr. President, I hope every Senator will vote for the amendment. I don't know any Senator who will vote against providing money to continue the search for Osama bin Laden. If I could disclose to you how much money is in this bill otherwise for a classified program, you would understand why this is a superfluous amendment.

Understanding that nobody would want to vote against something like this, if this amendment becomes law, the freedom of information provisions would mean all of the activities would be available to anybody. This is not a classified \$200 million to search for bin Laden. Again, it is irresponsible, but I would not vote against the amendment. I don't want to be known for voting against additional money to search for Osama bin Laden.

Mr. President, I ask for the yeas and nays on the Senator's amendment.

The PRESIDING OFFICER (Mr. GRAMHAM). Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 4907 offered by the Senator from North Dakota. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Sen-

ator from Georgia (Mr. CHAMBLISS), the Senator from Georgia (Mr. ISAKSON), and the Senator from Pennsylvania (Mr. SANTORUM).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

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

[Rollcall Vote No. 235 Leg.]

YEAS—96

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

NOT VOTING—4

Chambliss	Lieberman
Isakson	Santorum

The amendment (No. 4907) was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

CONGRATULATING SENATOR PETE DOMENICI ON HIS 13,000TH VOTE

Mr. FRIST. Mr. President, on this last rollcall vote, No. 235, the distinguished Senator from New Mexico, the current chairman of the Energy and Natural Resources Committee, and the former long-serving chairman of the Budget Committee, Senator PETE DOMENICI, cast his 13,000th vote in this Chamber—13,000 votes. Senator DOMENICI now joins a very historic and select club of Senators who can claim this distinction. Senators now cast more votes than ever in each Congress, so while historical records are not perfect, the Senate Librarian says that we are safe to conclude that among all Senators who have served since the beginning of the Republic, Senator DOMENICI is in a class of only eight. Since the beginning of the Republic, only seven other Senators have similarly cast more than 13,000 votes in their careers in the Senate, and four of them are serving today. The club of seven now becomes the club of eight with Senator DOMENICI's last vote here today.

Those other seven Senators are Senator Clayburn Pell, the current President pro tempore, Senator TED STEVENS, Senator TED KENNEDY, Senator DANIEL INOUE, Senator Ernest Hollings, the late Senator Strom Thurmond, and with over 17,733 votes, the all-time record, Senator ROBERT C. BYRD.

Senator DOMENICI, I know I speak for all of your fellow Senators when I say congratulations on this achievement. But more importantly, thank you for your tremendous service over the years to New Mexico, to your country, and importantly to the U.S. Senate.

(Applause, Senators rising.)

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, why would I, the Democratic leader of the Senate, stand to offer effusive praise for my Republican colleague, the Senator from New Mexico, PETE DOMENICI? The reason is, I know him. He is my friend. PETE DOMENICI and I have worked on a subcommittee that is so important to this country, Energy and Water. My entire tenure in the Senate has been with him. The last many years Senator DOMENICI and I have worked as ranking member and chair. Whoever controls the Senate, Democrat or Republican, the person whose party is controlling becomes the chairman, the member of the other party becomes the ranking member of that committee. It doesn't matter to PETE DOMENICI or HARRY REID, as it relates to that subcommittee, which is the party in power because we have worked as partners on that subcommittee. We have done some tremendously important things for this country, not only in funding important projects but changing policy.

I like PETE DOMENICI for a number of reasons. I admire PETE DOMENICI for a number of reasons. As a boy, I wanted more than anything else to be a baseball player. I wanted to be a good baseball player. In my child's mind, I figured I could be. But as I got older, I didn't run very fast. I wasn't as strong as I thought I was, so my baseball career was not much to write home about. PETE DOMENICI's is. PETE DOMENICI was a pitcher. PETE DOMENICI pitched for a farm club of one of my favorite baseball teams, the Dodgers, where my good, close friend, Hall of Famer Greg Maddux, now pitches.

PETE DOMENICI will not make the Hall of Fame for baseball, but he will for U.S. Senator. He is a wonderful man.

One reason he is as good as he is because of the woman he married in 1958 by the name of Nancy Burke. They are a wonderful team. I admire and respect them both very much. They have a wonderful family, a large family—two sons and six daughters.

I congratulate PETE DOMENICI, a U.S. Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I want to add my congratulations to

Senator DOMENICI on this great achievement, achieving this milestone of becoming one of eight Senators in the history of our country to have cast this many votes.

I have had the good fortune in the 24 years I have been here in the Senate to serve with Senator DOMENICI, and also, of course more recently, to serve with him on the Energy Committee as the ranking member. I have seen the leadership he has provided to deal with our energy issues.

He is the longest serving Senator to have served from the State of New Mexico. Of course, he has cast more votes on behalf of the people of the State of New Mexico than anyone in the history of this country. For that he deserves great recognition.

The people of the State I represent recognize his great contribution and appreciate it greatly. I congratulate him today on reaching this milestone. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, first of all, let me say thank you to each Senator who commented on my many years of voting, which has yielded 13,000 today. I thank you very much and, in particular, I thank the majority leader for doing what he has done, by setting aside these few moments. I greatly appreciate it.

I guess it is pretty easy to get to 13,000. You just stick around long enough and come and vote and you will get there. I don't know how many more I will get but certainly a lot more because there are a lot of years left to come. I don't know how many we will be celebrating, but this is a very special one because of the special people who are here, indicating to me in their own gracious way their appreciation for what I do or don't do in the Senate. I thank all of them for that.

Frankly, I don't feel as if I have cast 13,000 votes, so I don't know what that means. Maybe it means I have a lot more to come. I hope so. Maybe it means we are voting a lot more in the Senate than we used to.

In any event, it is a proud day because you all have made it one. Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, before I speak to an amendment, let me join in the commendations to our colleague, Senator DOMENICI. I am privileged to serve on the Energy Committee which Senator DOMENICI chairs. I appreciate his leadership, as well as his commitment to our country. I am pleased to join the many voices that have spoken about his service.

Mr. DOMENICI. I thank the Senator. The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent the pending amendment be set aside.

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

AMENDMENT NO. 4909

Mr. MENENDEZ. Mr. President, I have an amendment at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 4909.

Mr. MENENDEZ. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the use of funds for a public relations program designed to monitor news media in the United States and the Middle East and create a database of news stories to promote positive coverage of the war in Iraq)

At the end of title VIII, add the following: SEC. 8019. (a) PROHIBITION ON USE OF FUNDS FOR CERTAIN PUBLIC RELATIONS ACTIVITIES.—None of the amounts appropriated or otherwise made available by this Act may be obligated or expended for a public relations program designed to monitor news media in the United States and the Middle East and create a database of news stories to promote positive coverage of the war in Iraq.

(b) SCOPE.—The prohibition in subsection (a) shall not apply to programs and activities of the Department of Defense directed at collecting or analyzing information in the news media.

Mr. MENENDEZ. Mr. President, I rise today to offer an amendment that would limit funds for any future public relations campaign being commissioned by the Pentagon to promote positive coverage of the war in Iraq. We first learned about this \$20 million PR campaign to improve the image of President Bush's Iraq policy in the Washington Post last week. In my mind, this proposal is not just irresponsible, it is an insult to the thousands of Iraqi citizens and coalition forces who have died in this war. At a time when this violent insurgency continues to expand and American troops are putting their lives on the line day in and day out, what is the administration's focus? A better public relations campaign? The Bush administration doesn't need a new PR campaign in Iraq. They need a new policy in Iraq.

We must change the course in Iraq, not waste time or money for public relations efforts. We must work to reduce the insurgency, not suppress news reports of its existence. We must strive to improve the situation on the ground in Iraq, not focus on changing the spin. That is why I am offering this amendment that would prohibit funds being used for this type of public relations campaign.

Let me be clear. This amendment prohibits the use of funds for a public relations campaign and a database of news stories that is designed to promote positive coverage of the war. But the amendment specifically does not prohibit the normal work of the Department of Defense for collecting or analyzing information in the news

media. The fact is, we do not need more propaganda. We need a new policy. I can certainly understand why the Bush administration would want to sugar-coat the news coming out of Iraq. The facts and the figures about the reality on the ground tell a somber story.

When more than 250 Iraqis were killed last week alone, and the killings continue today; when kidnapping by those wearing Iraqi security force uniforms becomes commonplace, and average Iraqis now flee from Iraqis in uniform; when the U.S. Special Inspector General for Iraq Reconstruction comes out with a report that paints a picture of incompetence, fraud, and failure, and USAID, the agency in charge of over \$1.4 billion in reconstruction, has been hiding millions of dollars in construction overruns and failing to report the true costs and problems to the Congress; when some Iraqis are now too afraid to go to the morgue to retrieve the bodies of their loved ones for fear of being killed or kidnapped themselves; and when instead of reducing troops, thousands of troops have been ordered to go to Baghdad, and an Army brigade had its tours extended, it is time to change the course in Iraq.

It is certainly easy to see why the Bush administration is afraid of the truth, and it is no surprise that a CNN poll released on Monday showed that 61 percent of Americans said they oppose the war as it is in Iraq, the highest opposition shown in any CNN poll since the war began.

For those in the Bush administration who complain that the media only reports bad news coming out of Iraq, I invite them to look at the facts and figures offered by the Pentagon itself last week. In its latest report to Congress, the Pentagon found that Iraqi casualties are up by more than 50 percent in recent months. Violence in Iraq continues to rise, and innocent Iraqi civilians are paying the price. The casualty rate is now almost 120 a day, compared to 30 a day 2 years ago.

The President continues to speak of progress, but the numbers tell a different story. From the time the new Iraqi Government was established on May 20, until August 11, the number of attacks were almost 800 per week. That is a huge increase from the beginning of the year and almost double from the beginning of 2004. So it is clear that the Bush policy in Iraq simply is not working, and it is time for a new direction.

The President needs to realize that we do not need a new propaganda campaign, we need a new policy. Frankly, I personally never believed the administration's false arguments about why we should go to war in Iraq, and I believe this administration never had a strategy for success in Iraq, and that is why I voted against the war in Iraq even when that vote was unpopular. That is why I am standing up for a new direction in Iraq today.

The President led us into this war based on false premises and false prom-

ises. President Bush went into the war without a plan to win the peace.

Unfortunately, this administration still doesn't have a real plan for success in Iraq. Our soldiers have performed bravely under the most difficult of circumstances. But as Iraq moves closer and closer to an all-out civil war, as even the commander, General Abizaid, admitted was possible, it is time to change policy.

The fact is that the war in Iraq has hurt us along the way in terms of our national security. By changing course in Iraq, we can make our own country more secure.

I look back at Hurricane Katrina just a year ago. I see the terrible price the people of the gulf paid when their National Guard troops were away in Iraq and unable to protect their neighbors here at home. Our homeland is simply less secure when our National Guard and Reserves are being kept in permanent rotation in Iraq.

This war has also distracted us from the great international security threats to the United States. While the administration is focused on the war in Iraq, North Korea has only become more defiant because they know we are bogged down in Iraq and have lost credibility with the international community.

Under this administration, North Korea has conducted launched missile tests and has likely increased the size of its nuclear arsenal. They have withdrawn from the Non-proliferation Treaty. The Congressional Research Service has estimated that the number of simple, fission-type weapons produced by the North Koreans prior to 2001 was between zero and two. Now this defiant regime has an estimated three to nine nuclear weapons.

While the administration has been distracted in Iraq, Iran has also become more defiant and has started enriching uranium, flaunting an international package designed to help end their nuclear weapons program, and is supporting Hezbollah's attacks against Israel.

It is in Afghanistan that we have paid one of the heaviest security costs for the war in Iraq. The bottom line is the administration never finished the job in Afghanistan. Afghanistan—not Iraq—was the right place to pursue the national security of the United States. It was in Afghanistan—not Iraq—that the murderers of September 11 were located. Our lack of attention and resources in Afghanistan has allowed the country to once again become a land of increased turmoil.

Many of us have been horrified as we have watched the resurgence of Taliban and strong anti-American sentiment in Afghanistan. In the past 3 years, there have been 284 attacks by the Taliban, and the number of suicide attacks continues to rise sharply. We have also seen poppy cultivation more than double since 1999. That ultimately is what

emanates the opium on the streets of our cities and across the world.

I believe it is long past time for the United States to focus attention on Afghanistan and on the current threats from Iran and North Korea.

Let me simply say that the war in Iraq has not helped quell terrorism. In fact, it has fueled the proliferation of terrorist organizations and has increased instability in Iraq at the expense of our Nation's economy and the lives of our service men and women. The Iraq war has drained our Treasury of \$320 billion. Well over 2,600 of our bravest men and women have lost their lives, and nearly 20,000 have been injured. That is the most fundamental issue facing our country today.

Three and a half years into the war and the administration's overhyped spin has become unwound. Predictions that we would be greeted as liberators have proven false, and the President's partisan attacks on anyone who dares criticize his failed policy have led to the hollow truth behind both the original decision to go to war and the propaganda he and his supporters still spew forth every day. The facts are as clear as the day, and a majority of Americans know the decision to invade Iraq was the wrong one.

In light of this knowledge, it is time to tell the President that we don't need a new propaganda campaign; we need a new policy. It is time to make clear that the Defense bill should be about flak jackets for our troops, not PR flak for the Bush administration. That is why I have offered this amendment which tells the administration to forget about the spin and concentrate on the mission at hand.

I urge my colleagues to support this important amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I object. What is this? I thought we would dispose of the Menendez amendment first. Are there further speakers on the amendment? I would like to see the amendment. Will the Senator agree to a time agreement for a vote on the Menendez amendment? Will Senator MENENDEZ agree to vote at a time certain on his amendment?

Mr. MENENDEZ. Sure. I would consider such an agreement.

Mr. SCHUMER. Mr. President, will my colleague from Alaska yield?

Mr. STEVENS. I would be happy to yield.

Mr. SCHUMER. I don't believe my amendment will take much time. It might be good to dispose of both of them together.

Mr. STEVENS. Very well. I hope we can get a time agreement for a vote.

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

AMENDMENT NO. 4897

Mr. SCHUMER. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 4897.

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

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

The amendment (No. 4897) is as follows:

(Purpose: To make available up to an additional \$700,000,000 for Drug Interdiction and Counter-Drug Activities to combat the growth of poppies in Afghanistan, to eliminate the production and trade of opium and heroin, and to prevent terrorists from using the proceeds for terrorist activities in Afghanistan, Iraq, and elsewhere, and to designate the additional amount as emergency spending)

At the end of title VIII, add the following:  
SEC. 8109. (a) ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.—The amount appropriated by title VI under the heading "DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES" is hereby increased by \$700,000,000, with the amount of the increase designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

(b) AVAILABILITY.—Of the amount appropriated or otherwise made available by title VI under the heading "DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES", as increased by subsection (a), up to an additional \$700,000,000 may be available to combat the growth of poppies in Afghanistan, to eliminate the production and trade of opium and heroin, and to prevent terrorists from using the proceeds for terrorist activities in Afghanistan, Iraq, and elsewhere.

(c) SUPPLEMENT NOT SUPPLANT.—The amount available under subsection (b) for the purpose set forth in that subsection is in addition to any other amounts available in this Act for that purpose.

Mr. SCHUMER. Mr. President, I will be brief.

I rise to offer an amendment to the DOD appropriations bill to address what is literally a growing problem in the fight on the war on terror. We are not really doing enough to counteract an ever-increasing production of opium in Afghanistan, a problem that is threatening the ever fragile Government. Not only does opium production fuel its heroin trade around the globe, but the heroin funds terrorists who aim to attack America and our allies around the world.

We all note the deterioration of the situation in Afghanistan. One of the

main reasons that situation is deteriorating is the opium production is increasing dramatically. It will increase by a huge 50 percent over last year. A large portion of the opium trade is controlled by the Taliban, the very people who provide the "warm" reception.

I say that with sarcasm. It is due to bin Laden and al-Qaida. And yet the Taliban is increasing their reach, their strength, their hold on the country, and their wealth through opium.

As I mentioned, there has been a surge by over 50 percent over the last year's harvest, a surge in production largely in the southern part of the country where the Taliban has reasserted control. It is in part because we have abandoned Afghanistan and the country is steadily descending into chaos as we have less and less to say over it. We have abandoned large parts, and opium rules.

I hope my colleagues will listen to the fact. Afghanistan now supplies more than 90 percent of the world's opium. In this year alone, there were over 400,000 acres of poppies planted, compared to 250,000 acres in 2005—a 50-percent increase. Why is this happening? It is happening in Afghanistan because the administration failed to finish the job when we changed our focus to Iraq, and now the country is swarming with corrupt warlords and the Taliban is once again taking control over a large portion of the country. Our soldiers fought long and hard to rid Afghanistan of terrorists and the Taliban; however, if the drug trade continues to surge and consume the nation, their heroic efforts may be undone.

The Taliban draws its strength from the drug trade, and in order to prevent them from reclaiming the country, we need to crack down on the drugs that fuel its regime. The Taliban generates an amazing 70 percent of its income through the production and sale of opium. Those poppies generate a whole lot of money. This year's opium harvest is worth roughly \$4 billion.

In addition, the Taliban is fueling the production of opium from behind the scenes and using the profits to fund its brutal and oppressive regime. Every night, the Taliban drops off "night letters" encouraging poor Afghan farmers to grow poppies in exchange for "protection." Unfortunately, just like in "The Godfather," that is an offer they cannot refuse.

Now Afghanistan's narcotrade is spreading outside its borders and funding insurgents and foreign terrorists in Iraq. Money from the sale of Afghan-produced heroin is being used by terrorists to buy weapons and equipment, to create improvised explosive devices, and to pay ordinary Iraqi citizens to attack U.S. soldiers in Iraq. If foreign terrorists are using Afghanistan's opium production to fund their deadly activities in Iraq, what is to stop them from using the same funds to attack the United States? On 9/11, it is estimated that the horrible acts by al-

Qaida cost only \$500,000 to carry out. Can you imagine how many more attacks they could carry out given how huge the profits are from Afghanistan's opium?

Given the magnitude of this problem, a total of \$350 million to the Departments of State and Defense to fight opium in this part of the world is not enough. Those funds weren't enough—it is proven fact—when the production has doubled in a year's time. I am not saying the funds are not being used effectively. They may well be. They are clearly not enough. Fighting Afghanistan's drug production and trade is elemental to our success in fighting global terrorism. It is essential to protect our troops in Iraq, keep Afghanistan from descending into chaos, and save American lives here at home.

My amendment will increase counternarcotics funding in Afghanistan by \$700 million. With additional funds, the Department of Defense can work to ensure that the Taliban and other foreign terrorists don't use Afghanistan's opium crop against the United States.

Last year, the U.S. Government spent less than \$350 million fighting the drug trade. Afghanistan produced its largest poppy crop in recorded history and raised billions of dollars to fund terrorism.

For people who say this significant amount of money is not useful, it sure is. On a cost-effective basis, it is. It costs a lot more to fight terrorists who use the money from the poppy trade than to fight the poppy trade itself.

Some may suggest the money is not useful to DOD, but I would argue that DOD clearly doesn't have enough resources just on the basis ipso facto that the crop doubled last year. We have to make sure the Department of Defense and the State Department have all the available resources to combat this threat.

Others may say this issue is not a priority to DOD and we should let other agencies take the lead on this issue. The problem clearly is not a priority to DOD, but it absolutely should be, and this amendment will make clear that is our intent.

The growing insecurity in Afghanistan clearly requires that DOD take a more active role in combating the rise in the Taliban and corresponding rise in production of opium. To show that we are serious about combating cultivation of poppies and the production and trade of opium and heroin, we must put additional resources into the fight. If we don't, Afghanistan's drug trade will come back to haunt us.

I urge my colleagues to support this amendment when we have a vote on it later today. I thank the President and my colleagues from Alaska and Hawaii.

I ask unanimous consent that Senator FEINSTEIN be added as an original cosponsor.

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

AMENDMENT NO. 4909

Mr. STEVENS. Mr. President I ask unanimous consent that the Menendez

amendment be put before the Senate again. I ask unanimous consent that it be the pending business.

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

Mr. STEVENS. Mr. President, I want to be as courteous as possible. It is not a very good word to use, but it seems to me the Menendez amendment places a gag order on the Department of Defense. It says that the gains made by our military people and by the Iraqi forces cannot be reported to our people or to the Iraqi people.

It is a strange amendment, if you want to look at it, because it just says no funds may be expended for a public relations program to monitor news media in the United States and Middle East and create a database of news stories to promote a positive image of the war in Iraq.

The Department's press office normally reports day-to-day activities and is doing just that—getting the stories around and making sure we at home and the people in Iraq and our people in uniform know the positive side of this engagement.

I can tell you that at home we see the negative side all the time. It seems to me that answering questions with positive stories would be considered a PR effort. I do think it would have unintended consequences potentially impacting intelligence activities. I don't want to go into that too much, but the world knows about this information and the activities that have been going on for years. They have been going on for years.

We should not allow the Senate to take the position that prevents the Department of Defense to report on favorable news and to create a program to do that. To me, it constitutes a gag order.

I move to table the Senator's amendment.

AMENDMENT NO. 4897

It is my intention now to ask the Senate to make the Schumer amendment the pending business. I ask unanimous consent that is the pending business.

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

Mr. STEVENS. Mr. President, funding in this current year for activities in Afghanistan is \$116.5 million.

That money is being used to build border crossing points and police headquarters and to train and equip Afghan national police and other security forces in drug detection and eradication.

A significant portion of those funds is still being programmed to be spent. There was a delay in getting that bill ready for expenditures for 2006 so there will be some carryover into 2007. We don't know how much that will be.

The President asked for an additional \$18.5 million for this year in this bill, and the committee supported that request.

In addition to the funding in the Department of Defense appropriations bill

before the Senate, the fiscal year 2007 Foreign Operations bill as reported to the Senate has \$297 million for counterdrug activities in Afghanistan. The Commerce Science Justice bill includes \$30.5 million for counterdrug activities in Afghanistan. This means in the current bills pending for approval, there is already \$346 million for counterdrug activities in Afghanistan for 2007, notwithstanding the carryover money that is available. This means there is approximately \$400 million that will be available in 2007 already and the Senator wants to add \$700 million to that. That is an enormous amount of money.

The British Government actually takes the lead in counterdrug operations in Afghanistan. As we all know, NATO is in there now. The United States should not offer to take the entire financial burden of this operation. It is a multinational effort.

The Senator is right in his premise that poppy production sales are a funding mechanism for terrorist activities in Afghanistan. We do support poppy eradication efforts. However, we do not need to throw money at that problem. Four-tenths of a billion dollars ought to be enough for one year.

We have reviewed the counterdrug budgets for DOD and other agencies, and we believe they are sufficiently budgeted not only for this current year but for the 2007 year. If the Department needs additional funds for 2007, we will have a supplemental in the spring. I would be the first to support it if the Department came in and said they needed more money. However, in view of the fact that we are working with NATO and working with the British Government, which has the lead on this program, I do not think doubling the amount available for this program is prudent.

As a matter of fact, obviously from the experience in the current year, it would not be spent.

That should not be voted upon by the Senate. I move to table Senator SCHUMER's amendment.

I ask unanimous consent at 2 p.m. today the Senate proceed to a vote in relation to the pending Menendez amendment, to be followed by a vote in relation to the Schumer amendment—I have always made the motions to table—that no second-degree amendments be in order prior to the vote, and there be 2 minutes equally divided prior to the vote on each amendment. I believe this has been cleared.

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

Mr. STEVENS. I don't wish to seem preemptory about this. I thank the Senators for their courtesy in bringing the amendments to the Senate.

Can we make the second vote 10 minutes? I ask unanimous consent the vote on the Menendez amendment be a 15-minute vote and the Schumer amendment be a 10-minute vote.

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

Mr. STEVENS. I ask unanimous consent it be in order for me to ask for the yeas and nays on both amendments at the same time.

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

Mr. STEVENS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays were ordered.

Mr. STEVENS. 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. REED. 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. 4911

Mr. REED. Mr. President, I also ask unanimous consent to lay aside the pending amendment and send an amendment to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for himself and Mr. BAYH, proposes an amendment numbered 4911.

The amendment is as follows:

(Purpose: To make available an additional \$65,400,000 for additional appropriations for Aircraft Procurement, Air Force, for the procurement of Predators for Special Operations forces, and to designate the amount as an emergency requirement)

At the end of title IX, add the following:

SEC. 9012. (a) ADDITIONAL AMOUNT FOR AIRCRAFT PROCUREMENT, AIR FORCE.—The amount appropriated by chapter 3 of this title under the heading "AIRCRAFT PROCUREMENT, AIR FORCE" is hereby increased by \$65,400,000, with the amount of the increase designated as appropriations for contingency operations directly related to the Global War on Terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by H. Con. Res. 818 (109th Congress) and designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by Section 7035 of Public Law 109-234.

(b) AVAILABILITY FOR PROCUREMENT OF PREDATORS.—Of the amount appropriated by chapter 3 of this title under the heading "AIRCRAFT PROCUREMENT, AIR FORCE", as increased by subsection (a), up to \$65,400,000 may be available for procurement of Predators for Special Operations forces.

(c) SUPPLEMENT NOT SUPPLANT.—The amount available under subsection (b) for the purpose specified in that subsection is in addition to any other amounts available in this Act for that purpose.

Mr. REED. Mr. President, I rise to offer an amendment along with my colleague from Indiana, Senator EVAN BAYH, which would provide an additional \$65.4 million for the procurement of Predators for our special operations forces. The Predator is an unmanned aerial vehicle—or UAV, for

short—used for armed reconnaissance, airborne surveillance, and target acquisition. It has become a critical asset in the war on terror. It is a small, remotely piloted aircraft that brings the battlefield to the military.

Through the use of cameras and other sensors, the Predator monitors, in real time, buildings or people. Because it is unmanned, it is ideal for use in areas that are inaccessible to the U.S. military such as areas where the airspace is unsecure, the terrain is unpassable, or the environment is contaminated by chemical or biological weapons. The Predator system's hardware consists of a small monoplane with sensors, a ground control station, and data communications system.

The special operations forces—the front line in our war on terror—rely on Predator surveillance as part of their work to capture and kill the terrorists targeting our troops and the Governments of Iraq and Afghanistan.

There has been a lot of discussion recently about the war on terror. This is actually one of the systems which has been most decisive in killing the terrorists. That is why I think we have to support additional funding for this antiterrorist system.

Right now, special operations forces depend upon Air Force assets, which are already in high demand, for Predator support. With more Predators, we can be more effective in going after and taking out the terrorists. According to the Defense News article entitled "Inside the Zarqawi Takedown: Persistent Surveillance Helps End 3-Year Manhunt," the capture of the terrorist Abu Mus'ab al-Zarqawi—the leader of al-Qaida in Iraq, notorious for his despicable conduct—was facilitated decisively by Predator surveillance provided to special operations forces.

The Quadrennial Defense Review recognized that special operators need dedicated UAV support and called for the establishment of a UAV squadron organic to special operations forces.

The QDR reads:

To achieve the future force characteristics for SOF—special operations forces—and to build on progress to date, the Department will: . . . establish a SOF unmanned aerial vehicle squadron to provide organic capabilities to locate and target enemy capabilities in denied or contested areas.

This special operations squadron would eventually provide coverage 24 hours a day, 7 days a week, to assist the forces working to capture and kill terrorists in Iraq and Afghanistan. The objective, according to GEN Doug Brown, Commander of the Special Operations Command, SOCOM, is to establish an "unblinking eye," which would help special operators targeting terrorists.

The President's budget request for fiscal year 2007 included funding sufficient to begin to build the squadron, including the purchase of eight UAVs.

On April 6, VADM Eric Olson, Deputy Commander of SOCOM, testified to the Armed Services Committee that the

command did not have sufficient surveillance platforms. On April 27, Senator BAYH sent a letter to the Armed Services Committee expressing his intent to address this issue via legislation. Subsequently, the Appropriations Committee took action in the fiscal year 2006 supplemental and accelerated funding for this purpose. This funding would have allowed the initial operating capability to be achieved in 2007, rather than 2008, and for the squadron to be fully operational with 24 UAVs in 2010 instead of 2011.

I believe this acceleration would have been significantly contributing to the capability of our Special Operations Command. However, the acceleration was reversed by the Appropriations Committee just a few months later when it cut the funding for the UAV procurement for SOCOM—a cut to the Air Force aircraft procurement line.

According to the Special Operations Command, this cut "would negate the effect of the FY2006 Supplemental, . . . causing Full Operation Capability to revert back to the original timeline. This delay will adversely affect AFSOC's urgent ongoing requirement to conduct persistent intelligence, surveillance, reconnaissance, and targeting missions."

The amendment Senator BAYH and I are offering would put the acceleration back on track by adding \$65.4 million for six UAVs and associated equipment.

Just 2 weeks ago, during a trip to Afghanistan and Iraq, the Armed Services Committee staff was told by the special operations forces in both countries, who are working hard to track the terrorists targeting our troops and the Governments of Iraq and Afghanistan, that their No. 1 need is for Predator coverage. They need dedicated UAV support.

We have not captured Osama bin Laden yet, and unfortunately there are many more targets for the special operators to conduct reconnaissance, surveillance, and, we hope, preemption. There is no rationale for not accelerating the establishment of the UAV squadron.

SOCOM wants this, and they have stated such. They can execute this in the timeframe they have given the Congress. We need to increase the pressure on al-Qaida operatives in Iraq and Afghanistan as well as other terrorists attacking U.S. and coalition troops. These terrorists are threatening, each day, the success of our operations in Iraq and Afghanistan and the safety of our personnel.

If we really want to carry the fight to the terrorists, if we really want to individually and collectively go after and take out these terrorists, the Predator, according to our special operations forces, is a key ingredient in this effort. Rather than rhetoric about fighting the war on terrorism, let's give these special operators the tools to effectively fight and destroy terrorists wherever they may be.

Mr. President, I yield the floor.

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. STEVENS. 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. STEVENS. Mr. President, I was off the floor, but I was informed of the amendment offered by Senators REED and BAYH. It is my understanding—the Senator from Hawaii concurs—we would be willing to accept this amendment.

Does the Senator want a vote on it? We would be happy to take it by voice vote if he is ready to let us accept it.

Mr. REED. Mr. President, I say to the Senator, my preference would be for a recorded vote, if possible. I think this is an important point about providing adequate resources to our special operators. Also, I would like to at least confer with Senator BAYH.

Mr. STEVENS. Very well. I have no objection. This money, if nothing else, would be available to replace some of the Predators that have been lost. So we are willing to accept it, but if the Senator wishes a vote, I would ask that—Mr. President, I ask for the yeas and nays on his amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the time for voting on this amendment be delayed until we can confer with the leadership.

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

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. 4909

Mr. LAUTENBERG. Mr. President, I rise to talk about the amendment offered by my friend and colleague from New Jersey, Senator MENENDEZ. As has been his tradition, as has been his experience, he brings forth an issue that I think is of special importance at this moment because while we discussed in these last few days the honesty with which we get information and data, we have recognized that there is often an attempt to obscure the truth from the American people about the war we are in at the moment.

We see it in different ways. We see it in the fact that, for instance, flag-draped coffins are not permitted to be photographed when the remains of our most courageous people fighting the

battle in Iraq are returned home. They come to a base in the State of Delaware, and it is prohibited to take pictures of those flag-draped coffins. That testimonial the country gives to these fallen soldiers is denied public view, as is the fact that there is another American, or more, lost in this quest to bring democracy to a country in which there is considerable doubt about whether they want our form of democracy. This amendment would make certain that no Department of Defense funds are used for propaganda.

Last week, we learned that the Defense Department wants to pay a company \$20 million to monitor and analyze American and Middle East media to help improve the image of the U.S. Government and the military. I fully agree with him on the importance of limiting these funds for a propaganda campaign. I will not support the use of these funds in that manner.

The contractor being hired is expected to put together a database of news stories and assess their tone to come up with ways to get more glowing news coverage for the administration to try to convince the American people that things are going pretty much to plan and it just needs more time.

We don't talk about the fact that it needs, very often, more troops to do this assignment, without regard to whether we ought to be there at this time or whether they deserve the protections and equipment that is often missing. But we are not just talking about the Middle East press. This is Department of Defense money provided by U.S. taxpayers to comb American newspapers to track and evaluate their stories.

I can't say I am surprised by this development. After all, this administration has mastered the art of propaganda, and after I asked for investigations of the administration's propaganda activity, the Government Accountability Office, GAO, ruled that the administration violated law in several cases. Propaganda efforts by the Department of Health and Human Services and the Department of Education were ruled illegal by GAO.

So what did the administration do? Did it agree to abide by the law? Of course not. That is not their customary action, not this administration. The administration announced that it would ignore the GAO rulings. The administration sees the rule of law as kind of a speed bump, not a roadblock. That is why Congress has to cut off these funds for these propaganda efforts.

This isn't the Soviet Union. We promote a free press in this country. It is essential to our democratic functioning. Learn the truth, pleasant or unpleasant, and deal with it as we should—honestly. We should not be manipulating the news media in our country.

I want the news about Iraq to be better, too. We all have great respect and affection for those who are on the front

line who are doing their duty in spite of questions about what the purpose is or when the return to their homes begins. But maybe if we made some changes in our leadership and in our strategy we wouldn't need a PR campaign to improve our image here or abroad. Instead of trying to make the current situation look better, we ought to focus on actually making it better.

If we have any money to spare, let's spend it on our troops making sure that everybody has body armor, the latest there is, to protect them, or that the humvees and other vehicles are appropriately armored to see if we can defend ourselves better against these roadside bombs and these attacks on our troops, or on developing better strategies to fight terrorism and to defend our country.

We are on the eve of the commemoration of 9/11. It was one of the events in American history that still shocks our psyche. The fact that in a single day almost 3,000 Americans were killed on our soil by foreign intervention still astounds even the grimaced imagination. The fact that these two tall towers fell—I had an office in one of those towers when I was a commissioner of the Port Authority of New York and New Jersey before I came to the Senate. They stood like cities, with 50,000 people going in and out, moving to their jobs, to their assignments, to their responsibilities, to their families, not only to their companies, not only to the services they provided. And we are still in search of the perpetrators.

We all want to see victory come out of this war. The problem is I am not sure we can define victory. It is too late for us to resume our lives as we used to live them without constantly having to show an ID, without constantly having to be in lines waiting, interfered with in our normal routine. The last thing we need is to cover up reality. That is what is taking place. This is an attempt to further cover up the reality, cover up the losses we are enduring, cover up the expense it is costing us. The financial costs are secondary to the loss of life, but, nevertheless, that is reality.

I commend my colleague from New Jersey, Senator MENENDEZ. He has brought thoughtful discourse to this body, and we welcome his attempt to clear the air, to make sure we are not spending money to color the issues, to give it a rosy tone, but to tell the truth and to not spend \$20 million of taxpayer money on glossing over what is a very painful reality.

I hope our colleagues will fully support this amendment.

I yield the floor.

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided on the Menendez amendment. Who yields time? The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I urge my colleagues to vote no on the motion to table the amendment. With all due respect, this isn't about any gag

order. It is not about promoting whatever gains are made. We are happy to see whatever gains are made in the Defense Department, in the White House, and all of the Republican administration. They can roll out all of the good news they have. But what we don't need and what I hope the Senate will not vote for is \$20 million of taxpayer funds for the purpose of having a public relations firm ultimately generate "good press out of Iraq." That is not what we need. We need a change in policy, not a \$20 million public relations contract.

Our amendment specifically allows the Department of Defense to continue to collect or analyze information in the news media, as they do now, but we do not need a \$20 million public relations program. If my colleagues vote for the motion to table, they are voting to have that \$20 million public relations program that the taxpayers will fund.

We can generate whatever good news may exist, but what we need is a change in policy. We don't need a PR program. This bill should be about flack jackets for our soldiers, not for the administration.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator's amendment will prohibit spending monies for a program to create a database for news stories that are positive. I do think there is an exception to that which says it does not apply to collecting and analyzing information in the news media. So they can spend money to analyze all the negative aspects of our news media, but they cannot spend money to collect the data that is necessary to provide the positive side of what our people are doing and what the Iraqi people are doing in Iraq in this terrible situation over there. I really think it is a gag order. I don't see why they should be able to collect all the news stories, but they can't collect the information that is positive and make it available.

So I move to table this, and I believe we will have a vote here fairly soon. The 2 minutes equally divided will be after this amendment; is that correct?

The PRESIDING OFFICER. The Senator is correct. Yes.

Mr. STEVENS. The yeas and nays have been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Rhode Island (Mr. CHAFEE), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Georgia (Mr. ISAKSON), and the Senator from Pennsylvania (Mr. SANTORUM).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

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

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 236 Leg.]

YEAS—51

Alexander	DeWine	McCain
Allard	Dole	McConnell
Allen	Domenici	Murkowski
Bennett	Ensign	Roberts
Bond	Enzi	Sessions
Brownback	Frist	Shelby
Bunning	Graham	Smith
Burns	Grassley	Snowe
Burr	Gregg	Specter
Coburn	Hagel	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Talent
Collins	Inhofe	Thomas
Cornyn	Kyl	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner

NAYS—44

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murray
Bayh	Harkin	Nelson (FL)
Biden	Inouye	Nelson (NE)
Bingaman	Jeffords	Obama
Boxer	Johnson	Pryor
Byrd	Kennedy	Reed
Cantwell	Kerry	Reid
Carper	Kohl	Rockefeller
Clinton	Landrieu	Salazar
Conrad	Lautenberg	Sarbanes
Dayton	Leahy	Schumer
Dodd	Levin	Stabenow
Dorgan	Lincoln	Wyden
Durbin	Menendez	

NOT VOTING—5

Chafee	Isakson	Santorum
Chambliss	Lieberman	

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4897

The PRESIDING OFFICER. There are 2 minutes evenly divided prior to the vote on the motion to table the Schumer amendment. The Senator from New York.

Mr. SCHUMER. Mr. President, this amendment is very simple. The Taliban is gaining huge parts of Afghanistan, southern Afghanistan. The Taliban is all over the place. How do they fund themselves? How do they spread their hegemony? It is through opium. Opium production has doubled in a year. While we are making some efforts to fight it, we are not doing close to enough. If we want to stop the Taliban from going back to where they were before 9/11, we must stop the way they prosper, survive, and fund themselves. It is opium production. They make 90 percent of the world's heroin.

This amendment, very simply, adds money to the DOD budget so we can fight the scourge of opium and the scourge of terrorism to which it is interlinked in Afghanistan.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, NATO is in charge, now, of Afghanistan. The British Government is the lead agency in counterdrug operations. Notwithstanding that, in this budget we have \$346 million for counterdrug efforts in Afghanistan. In addition to that, there is a carryover available from 2007. It

will be almost \$400 million already, and the Senator wishes to add another \$700 million. It is not our function. The lead agency is NATO, now, in Afghanistan.

I have made a motion to table. I urge the Senators to vote to table this amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays were 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 Rhode Island (Mr. CHAFEE), the Senator from Georgia (Mr. CHAMBLISS), and the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

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

The result was announced—yeas 45, nays 51, as follows:

[Rollcall Vote No. 237 Leg.]

YEAS—45

Alexander	Domenici	McConnell
Allard	Enzi	Murkowski
Bennett	Frist	Nelson (NE)
Bond	Graham	Roberts
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Burr	Hatch	Smith
Coburn	Hutchison	Specter
Cochran	Inhofe	Stevens
Cornyn	Kyl	Sununu
Craig	Lott	Thomas
Crapo	Lugar	Thune
DeMint	Martinez	Vitter
Dole	McCain	Voinovich

NAYS—51

Akaka	Dorgan	Menendez
Allen	Durbin	Mikulski
Baucus	Ensign	Murray
Bayh	Feingold	Nelson (FL)
Biden	Feinstein	Obama
Bingaman	Harkin	Pryor
Boxer	Inouye	Reed
Byrd	Jeffords	Reid
Cantwell	Johnson	Rockefeller
Carper	Kennedy	Salazar
Clinton	Kerry	Sarbanes
Coleman	Kohl	Schumer
Collins	Landrieu	Snowe
Conrad	Lautenberg	Stabenow
Dayton	Leahy	Talent
DeWine	Levin	Warner
Dodd	Lincoln	Wyden

NOT VOTING—4

Chafee	Isakson
Chambliss	Lieberman

The motion was rejected.

The PRESIDING OFFICER. The amendment remains pending. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 4897) was agreed to.

Mr. KENNEDY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

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

AMENDMENT NO. 4857

Mr. KENNEDY. Mr. President, I had filed an amendment on behalf of myself and the Senator from Utah, Mr. HATCH, amendment No. 4857, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself and Mr. HATCH, proposes an amendment numbered 4857.

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

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

The amendment is as follows:

(Purpose: To provide that none of the funds appropriated by this Act may be available for the conversion to contractor performance of certain activities or functions of the Department of Defense in cases where the contractor receives a competitive advantage by offering inferior retirement benefits to workers who are going to be employed in the performance of such activities or functions than those offered by the Department to comparable civilian employees)

On page 160, line 7, strike “; or” and insert a semicolon.

On page 160, line 14, strike the period at the end and insert the following: “; or

(C) offering to such workers a retirement benefit that in any year costs less than the annual retirement cost factor applicable to Department of Defense civilian employees under chapter 84 of title 5, United States Code.

Mr. KENNEDY. Mr. President, we know that vast numbers of Americans are increasingly concerned about their economic future. More than half of all workers describe themselves as “worried” or “stressed” about the state of the economy, and growing numbers of workers fear they will not be able to meet, much less surpass, the standard of living of their parents.

One of the primary factors contributing to these fears is the worsening crisis in the Nation's retirement system. The cornerstones of retirement security—private pensions, private savings, and Social Security—are increasingly at risk. Far too many working Americans will face retirement with little in their pocket—and with nothing to show for their long years of loyal service and hard work.

The pension reform legislation enacted this year will help companies keep the pension promises they have already made to workers, but we need to do much more to encourage employers to provide adequate retirement benefits to their hardworking employees.

Today, less than half of all private-sector employees have any retirement plan at all at work, and the number of workers with a secure defined-benefit pension plan has been cut in half since 1980.

Employer-provided retirement plans are essential for retirement security for working families. Workers are far more likely to save money for retirement through an employer-offered pension than if they are left to save on their own.

Unfortunately, instead of encouraging more companies to provide good retirement benefits to their employees, current Federal contracting rules actually discourage many private companies from helping their employees save for retirement. The competitive bidding process for contracts favors private employers who shortchange their workers on retirement benefits. Firms that provide no retirement benefits or only meager benefits often win bid to perform Government work even when the cost savings from their bid are attributable solely to the lack of retirement benefits they provide.

This unfair policy creates a dangerous race to the bottom in which private sector companies compete against each other to see who can provide the fewest benefits to their workers. As a result, the bidding process is actually increasing the number of Americans whose retirement security is in jeopardy. That is both illogical and unconscionable.

In addition, this skewed privatization policy is fundamentally unfair to Federal workers who lose contracts simply because they receive decent benefits. Valued Federal employees are losing their jobs because they cannot compete on an unfair playing field with employers who are shortchanging their workers.

Defense workers are particularly at risk. Now, this year alone, the Department of Defense is putting more than 10,000 civilian employees at risk of unfair termination—more than any other Federal agency—and it has announced plans to increase this number in the future.

Thirty-five percent—35 percent—of civilian Defense employees are veterans. Hundreds more are active reservists currently serving in the Iraq war. The least we can do for these dedicated and patriotic Americans is to let them compete on a level playing field to save the jobs they come home to after their service to their country.

The amendment Senator HATCH and I are offering will protect these workers by preventing contractors from winning bids for Government work solely because they provide inadequate retirement benefits to their employees or no retirement benefits at all. Our goal is obvious: to protect hard-working Federal employees from unfair competition. They should not lose their jobs because they cannot compete with private contractors on an unlevel playing field.

The amendment does not dictate the retirement benefits that employers must provide or require contractors to change their existing benefits. It simply levels the playing field for Federal employees and contract employees by excluding costs related to retirement from a privatization review. All the amendment does is prevent contractors from winning bids solely because they offer inferior retirement benefits.

The underlying bill already includes provisions to level the playing field for health care benefits. We need to do the same for retirement benefits.

Our bipartisan amendment is an issue of basic fairness. It is fair to private sector workers who will otherwise lose their retirement benefits in a "race to the bottom." And it is fair to Federal employees who will otherwise lose their jobs to unfair competition.

I strongly urge my colleagues to support our amendment.

Mr. President, just a few additional comments. The question that is raised is, is this going to add complicated accounting procedures? The answer is, quite clearly, no. We have seen, for example, that when we eliminated the current health issues out of the contracting, that worked out very easily and worked out in a way to ensure a greater fairness. As I mentioned, a great percentage of these workers are both men and women who have been in the military; a great percentage of them are both in the Reserve and the Guard. It is an unusually high percentage of them because we know that preference is given, and legitimately so, when there is an opening in the contracting for veterans.

So there is a particularly and disproportionately high number of these workers who have served their country in the service, in the Reserves, and in the National Guard.

This is really what we are doing. I have the good opportunity to be with my chairman, Senator ENZI, chairman of our conference on pensions. We worked very closely with the members of the Finance Committee, Senators GRASSLEY and BAUCUS, in an often tedious conference. We spent a great deal of the time on retirement benefits and on what is happening to those benefits for workers. We have seen the results. Savings are way down. We are going to have to give focus and attention to the issues on Social Security. Pensions are the third part of that stool, which is absolutely essential in terms of a secure retirement.

In so many instances, those pension rights, as we read in the newspapers every day, are increasingly threatened, and increasingly at risk, and increasingly lost. I agree with Senator HATCH and others that it would be poor policy for us to have as a matter of Federal preference competitions. These Federal employees have certain kinds of retirement benefits, and that is being held against them in a competition in which they otherwise would be successful. That will obviously result in compa-

nies that want to do business with the Federal Government getting rid of their pension plans, and it will disadvantage those who are working in the Federal employment system.

Mr. President, I commended our colleagues previously for taking into consideration the current health issues and comparisons. We are talking about retirement benefits. I think the case is strong and, hopefully, we can take this to conference and have the opportunity to explore it. I have talked to both the chairman and the ranking minority member over the last few days. I believe the staffs are familiar with the issue. Hopefully, we can accept this and take it to conference. Senator HATCH and I would be glad to respond to additional questions.

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.

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

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

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

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

AMENDMENT NO. 4913, AS MODIFIED

Mrs. BOXER. Mr. President, I call up amendment No. 4913 and ask unanimous consent to send a modification of the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from California [Mrs. BOXER] proposes an amendment numbered 4913, as modified.

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

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

The amendment, as modified, is as follows:

(Purpose: To require a report on procedures and guidelines in the event of further sectarian violence)

At the end of title IX, add the following:  
SEC. 9012. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth procedures and guidelines of the Department of Defense to protect United States military and civilian personnel (should sectarian violence further increase in Iraq.)

(b) FORM.—The report required by subsection (a) may be submitted in classified form.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED. In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on International Relations, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

Mrs. BOXER. Mr. President, my amendment simply requires the Secretary of Defense to submit a report on the procedures and guidelines necessary to protect U.S. military and civilian personnel in the event of a further increase in sectarian violence in Iraq.

Right off the top, I thank Senator STEVENS and his staff and Senator INOUE and his staff. They really helped me in getting this amendment accepted. It means a lot to me because I worry deeply about this situation.

The reason I worry is, as we look at this war, we just have not seen plans. We have not seen that we have been ready for the contingencies we face. We never seem to plan for the worst-case scenario. Frankly, I think we need to do that in this case because we have not been right in predicting what would happen. We have seen, over time, that we have not had enough body armor, we have not had enough up-armored HMMWVs or countermeasures against roadside bombs.

Frankly, the American people are losing confidence that we are prepared to protect our troops in the case of a full-scale sectarian conflict.

There was a quote in the paper recently from the commander of day-to-day operations in Iraq. This is the quote:

Quite frankly, in 33 years in the United States Army, I never trained to stop a sectarian fight.

Let me repeat that. This is from the commander on the ground in Iraq:

Quite frankly, in 33 years in the United States Army, I never trained to stop a sectarian fight.

Now, for 6 months I have been asking Secretary Rumsfeld for a plan for our troops in the event there is a full-blown civil war in Iraq. And I have not received any kind of answer on it. After I sent my first letter to the Secretary asking for such a plan, I got a letter back from Under Secretary of Defense Eric Edelman. And he said:

Recent acts of violence intended to spark civil war have failed.

That is the answer to my letter. When I asked: What is your plan in case civil war breaks out, he said: Well, there isn't a civil war. Obviously, that is not good enough.

My second letter to Secretary Rumsfeld was answered by Deputy Secretary Gordon England. He told me:

Iraq's enemies are intent on provoking widespread intercommunal conflict but they are not succeeding.

So, again, a lot of reassurances but no plan.

So, once again, I did not receive any type of answer that gave me any solace that there is some planning to protect our troops and our civilian personnel if things get worse over there.

Now, we know the number of monthly incidents of sectarian violence increased from 5 per month in 2003 to 250 per month in 2006. Let me say that again. Monthly incidents of sectarian

violence increased from 5 per month in 2003 to 250 per month in 2006.

Well, why do we need a plan now? I think the facts speak for themselves. The Pentagon's latest report that we received on conditions in Iraq, which was dated August 2006, said:

Concern about civil war within the Iraqi civilian population and among some defense analysts has increased in recent months.

And this is what they said:

Conditions that could lead to civil war exist in Iraq.

So if the Pentagon is telling us conditions that could lead to civil war exist in Iraq, the least we can expect from our Pentagon leadership is for them to provide some kind of contingency plan to protect our troops and civilian workers we have over there.

July saw the highest level of weekly attacks since military operations in Iraq began. Since last spring, the number of daily casualties, both military and civilian, reached nearly 120 per day, up from approximately 80 per day.

According to the United Nations—and I believe this is also quoted in this report, so this is the Pentagon quoting the United Nations—an estimated 22,977 families—or 137,862 individuals—have been displaced in Iraq due to sectarian strife since the February 22, 2006, Samarra Mosque bombing.

So for those people who put their head in the sand and say, this sectarian strife, it is going to go away, the people really do not want it, the facts belie that. I would say to my colleagues, think of one of your towns. And 137,862 would be one of your very large towns. If everyone in that town left that town, that is how many people have been displaced in Iraq due to sectarian strife.

General Peter Pace, Chairman of the Joint Chiefs, acknowledged to one of our committees there is a possibility of the situation in Iraq evolving into civil war. And he did not anticipate such a situation a year ago.

So when I heard about that, I sent a third letter—a third letter—to Secretary Rumsfeld asking: What is the plan in case of civil war? That letter remains unanswered.

Now, there is no reason the Secretary of Defense cannot provide the relevant committees in the House and the Senate a plan in case of civil war. My amendment will allow for this plan to be submitted in a classified form. I think that is very important because we certainly do not want that published. But we want to know that it exists and that there is a plan to protect our troops and civilians. Congress has the responsibility to provide oversight of the executive branch. Congress failed to ensure that the administration had a plan to win the peace in Iraq. We all know that. I saw Senator BIDEN just briefly on the Senate floor, and he was one of those voices, along with Senator LUGAR—bipartisan—way early asking: Where is the plan? Where is the plan? Where is the plan? We never had it.

Now the President says: We will be in Iraq. As long as I am President, we will stay in Iraq.

That is not a plan. That is an admission of no plan, no exit strategy. So at least let us have a plan, a contingency plan, that if the sectarian violence escalates, we know that our people will be protected.

I again thank Senator INOUE, Senator STEVENS, and their staffs because I have to say without their help—this was a bit contentious, but we worked on it until we got it so that it could be accepted on both sides. I am very grateful.

At this time, I yield the floor and ask, at the appropriate time, we have a voice vote on this amendment.

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.

Mr. BURNS. Mr. President, I ask unanimous consent that Senator DORGAN and I be added as cosponsors to amendment No. 4914.

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

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. 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. STEVENS. Mr. President, the pending business is the Boxer amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. I ask for the adoption of the Boxer amendment at this time with a voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4193, as modified.

The amendment (No. 4193), as modified, was agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Kennedy amendment No. 4857 be agreed to, with the motion to reconsider laid upon the table. I further ask unanimous consent that the Rockefeller amendment No. 4906 be withdrawn, and further, that the managers' amendment, which has been cleared by both managers, which is at the desk, be considered and agreed to and the motion to reconsider be laid upon the table. I ask unanimous consent that following this action, the Senate proceed to vote in relation to

the Reed amendment No. 4911, with no second-degree amendment in order to the amendment prior to the vote and that there be 4 minutes for debate equally divided prior to that vote. I ask unanimous consent that following disposition of that amendment, the only other amendment in order to the bill be the Bingaman-Domenici-Burns-Dorgan amendment relating to firefighters, and that following disposition of that amendment, the bill be read a third time and the Senate proceed to vote on final passage of the bill, the Senate then insist on its amendments, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

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

The amendment (No. 4857) was agreed to.

The amendment (No. 4906) was withdrawn.

The amendments were agreed to, as follows:

## AMENDMENT NO. 4900

(Purpose: To make available up to \$2,000,000 for infrastructure for the Afghanistan military legal system)

At the end of title VIII, add the following:  
SEC. 8109. Of the amounts appropriated or otherwise made available by this Act, up to \$2,000,000 may be available for infrastructure for the Afghanistan military legal system.

## AMENDMENT NO. 4894

(Purpose: To make available from Other Procurement, Army, up to \$1,500,000 for a Convoy Training Simulator for the Montana Army National Guard)

At the end of title VIII, add the following:  
SEC. 8109. Of the amount appropriated or otherwise made available by title III under the heading "OTHER PROCUREMENT, ARMY", up to \$1,500,000 may be available for a Convoy Training Simulator for the Montana Army National Guard.

## AMENDMENT NO. 4916

(Purpose: To make available from Research, Development, Test and Evaluation, Navy, up to \$300,000 for independent testing of the Joint Improvised Explosive Device Neutralizer III)

At the end of title VIII, add the following:  
SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY", up to \$300,000 may be available for independent testing of the Joint Improvised Explosive Device Neutralizer III, with such test to be designed and conducted by the Marine Corps Warfighting Laboratory.

## AMENDMENT NO. 4901

(Purpose: To make available from Research, Development, Test and Evaluation, Defense-Wide, up to \$1,500,000 for the development of a field-deployable hydrogen fueling station)

At the end of title VIII, add the following:  
SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$1,500,000 may be available for the development of a field-deployable hydrogen fueling station.

## AMENDMENT NO. 4903

(Purpose: To make available from Research, Development, Test and Evaluation, Defense-Wide, up to \$6,000,000 for research and development on bioterrorism threats to troops)

At the end of title VIII, add the following:  
SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$6,000,000 may be available for bioterrorism protection research (PE #0601384BP).

## AMENDMENT NO. 4917

(Purpose: To provide the Secretary of the Army the ability to reimburse servicemembers and their families for financial hardships due to extended deployment overseas)

At the end of title VIII, add the following:  
SEC. 8109. Notwithstanding any other provision of law, the Secretary of the Army may reimburse a member for expenses incurred by the member or family member when such expenses are otherwise not reimbursable under law:

*Provided*, That such expenses must have been incurred in good faith as a direct consequence of reasonable preparation for, or execution of, military orders:

*Provided further*, That reimbursement under this section shall be allowed only in situations wherein other authorities are insufficient to remedy a hardship determined by the Secretary, and only when the Secretary determines that reimbursement of the expense is in the best interest of the member and the United States:

*Provided further*, That this provision shall only apply to soldiers assigned to the 172nd Stryker Brigade Combat Team.

## AMENDMENT NO. 4912

(Purpose: To increase by \$20,000,000 the amount made available by chapter 2 of title IX for Operation and Maintenance, Defense-Wide for the purpose of assisting the African Union force in Sudan)

At the end of title IX, add the following:  
SEC. 9012. (a) Congress makes the following findings:

(1) Despite the signing of the Darfur Peace Agreement on May 5, 2006, the violence in Darfur, Sudan, continues to escalate and threatens to spread to other areas of Sudan and throughout the region.

(2) The African Union Mission in Sudan (AMIS) currently serves as the primary security force in Sudan, but is undermanned and under-equipped.

(3) Although the United Nations has approved sending a peacekeeping force to Darfur, the African Union Mission in Sudan (AMIS) will need to expand its manpower and capability in order to assist or serve as a bridge force until the United Nations peacekeeping force can be deployed.

(b) The amount appropriated or otherwise made available by chapter 2 of this title under the heading "OPERATION AND MAINTENANCE DEFENSE-WIDE" is hereby increased by \$20,000,000.

(c) Of the amount appropriated or otherwise made available by chapter 2 of this title under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", as increased by subsection (b), \$20,000,000 may be available—

(1) to assist in the training, support, and equipping of the African Union Mission in Sudan (AMIS) to bolster its efforts to protect the civilian population in Darfur;

(2) to facilitate the air-lifting of AMIS forces into the Darfur region as quickly as possible; and

(3) to assist and expand the logistics capability of the African Union Mission in Sudan (AMIS).

(d) The amount made available by subsection (b) is designated as appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 4502 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by H. Res. 818 (109th Congress) and is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

(e) The Secretary of Defense may transfer funds made available by subsection (b) to other appropriations to accomplish the purposes of this section. This transfer authority is in addition to any other transfer authority available to the Department of Defense. The Secretary shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer.

## AMENDMENT NO. 4918

(Purpose: To make available from Research, Development, Test and Evaluation, Defense-Wide, up to \$1,000,000 for research and development on the heavy fuel diesel engine)

At the end of title VIII, add the following:  
SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading "Research, Development, Test and Evaluation, Defense-Wide" for DARPA Management Headquarters, up to \$1,000,000 may be available for the Heavy Fuel Diesel Engine (PE #0603286E).

Mr. STEVENS. Mr. President, that now means the floor is open for consideration of the Bingaman-Domenici-Burns-Dorgan amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

## AMENDMENT NO. 4915

Mr. BINGAMAN. Mr. President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. DOMENICI, Mr. BURNS, Mr. DORGAN, and Ms. CANTWELL, proposes an amendment numbered 4915.

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

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

The amendment is as follows:

(Purpose: To appropriate funds for emergency wildfire suppression)

On page 230, between lines 16 and 17, insert the following:

## DEPARTMENT OF THE INTERIOR

For an additional amount for "WILDLAND FIRE MANAGEMENT" under the heading "DEPARTMENT OF THE INTERIOR" of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109-54), \$100,000,000 for the conduct of emergency wildfire suppression activities of the Secretary of the Interior, *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

## DEPARTMENT OF AGRICULTURE

For an additional amount for "WILDLAND FIRE MANAGEMENT" under the heading "DEPARTMENT OF AGRICULTURE" of title III of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109-54), \$175,000,000 for the conduct of emergency wildfire suppression activities of the Secretary of Agriculture, acting through the Chief of the Forest Service, *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, this amendment is the one that the floor manager, the chairman, indicated was to be considered now. It relates to wildfire management and is one that has strong support on both sides of the aisle. I urge my colleagues to support the amendment.

I know Senator BURNS wishes to speak as well.

I yield the floor.

Mr. STEVENS. Mr. President, it is my understanding this is a modified amendment, modified from the original form. I ask the Senator from New Mexico if that is the case.

Mr. BINGAMAN. Mr. President, that is correct. This is in modified form from what was earlier filed as an amendment. I believe the concerns earlier raised have been resolved.

Mr. STEVENS. Mr. President, I thank the Senator and ask for adoption of the amendment.

Does Senator BURNS wish to comment?

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I thank the Senator from Alaska. I thank Senator BINGAMAN for his work on this amendment. We heartily approve the amendment. It has strong support on this side of the aisle.

Ms. CANTWELL. Thank you, Mr. President. Before I make my statement, I want to take a moment to thank Chairman STEVENS and Senator INOUE for their leadership in getting this vitally important defense appropriations bill to the Senate floor. I know that that the chairman and ranking member believe, as I do, that ensuring sufficient funding for our brave fighting men and women during this incredibly challenging Iraq war is an urgent national priority. I appreciate their hard work and look forward to making sure we complete work on this legislation before the end of the fiscal year.

Today, I am here to speak on another issue critical to Washington State, and many States throughout the Nation: the threat of wildfires. To date, we are in the midst of the most active fire year of the decade. That may surprise many of my colleagues who remember the devastating fires a few years ago. But as of today, more than 8.4 million

acres have burned as a result of 84,000 fires across the Nation this year. To put this year into perspective—compared to the 10-year national average, this year 73 percent more acres have already burned. Already, this is the third worst fire year since 1960.

As we speak, our brave wildland firefighters across the Nation are fighting 62 wildfires that have burned more than 1 million acres and continue to burn in 11 States. Idaho, Montana, Nevada, Oregon, and Wyoming all have active fires that have burned at least 25,000 acres.

In my State, Washington, an area nearly half the size of Rhode Island is ablaze. More than 309,000 acres have burned in Washington State as a result of 13 active fires. The largest fire in Washington, the Tripod Complex Fire, has burned 163,000 thousand acres. In Southeastern Washington, residents and farmers alike have been dealing with and fighting the Columbia Complex Fire. That fire has burned more than 90,000 acres—including some homes and valuable wheat crops—forcing the evacuation of hundreds of Columbia County residents in and around the city of Dayton during the last month.

Fighting these fires has truly been a national priority and I want to thank all of the firefighters, soldiers, local and State officials, and many others who have worked so hard to protect our citizens and property. Last week, when my office called the Incident Command Center for the Columbia Complex Fire in Waitsburg, Washington, a firefighter from Louisiana picked up the phone. Louisiana joined firefighting personnel from the State of Washington, Oregon, Arizona and New Mexico, the Confederated Tribes of the Umatilla Indian Reservation, Australia, Canada, and New Zealand.

This year the Department of Defense has been involved for the first time since 2003. "Task Force Blaze," a 550-soldier battalion was mobilized from Fort Lewis to assist with firefighting activities on the Tripod Fire last month. Air National Guard Units in Wyoming, Colorado, Oregon, and California have been mobilized as part of the firefighting effort.

This situation is all too familiar to this part of the Pacific Northwest. Citizens in Columbia County were forced to deal with the School Fire last year that raged for 13 days, burning 52,000 acres and destroying 215 homes and other structures. Unfortunately, we are facing another all too familiar situation, running out of money to fight these fires.

While Congress is aware of this perennial problem, and has wisely boosted wildland fire fighting money the last few years, this season's unusually high fire activity in Washington State and across the Nation has strained us further still. In Washington State for example, more than 3,300 firefighting personnel are bravely fighting these stubborn blazes. That is why I am a co-

sponsor of Mr. BINGAMAN's critical amendment.

Any day now, the Federal Government will have spent all of its available funding for wildland firefighting for this fiscal year. This will leave our primary firefighting agencies—the Forest Service and the Department of Interior—stuck with the choice of either cutting back firefighting efforts from the more than 1 million acres burning today, or cutting back from other necessary activities. Without these emergency funds, national forests throughout the country would likely have to cut back on vital maintenance or services to the public. And if we are forced to tap into the land and water conservation fund, we might have to forgo preserving pristine or unique lands.

In these extraordinary circumstances with thousands of people affected by wildfires from Montana to Washington to Wyoming—I believe that providing Federal wildland firefighting agencies with the adequate resources should be a top priority. That's why I support the Bingaman amendment to provide an additional \$275 million in emergency funding for wildfire suppression activities. Specifically, based on the resource projections provided to us by the administration, \$175 million would be made available for the Forest Service and \$100 million to the Department of Interior. These funds will help assure the thousands of our citizens in communities across the Nation that the Federal Government will have the adequate resources to continue fire suppression activities without borrowing from other important programs.

When we run out of funding, we will have depleted available appropriations for fire suppression and a nearly \$500 million reserve fund to deal with these emergencies. I recognize that we will probably need to do a lot more for firefighting and I look forward to supporting those efforts. However, based on available projections from the Federal Government providing \$275 million now will help provide some immediate relief.

While this is an extraordinary fire year, this is not a new issue for Congress to deal with. Over the last few years, Congress has added emergency appropriations and reserve accounts in response to wildfire suppression activities and other fire-related activities. As recently as 2004, we added \$500 million in emergency funding to the fiscal year 2005 Defense appropriations bill for wildfire suppression activities.

With a million acres burning across the Nation in 11 States—American citizens deserve to know that the Federal Government is doing everything it can to protect them, their property, and their communities. I think it is critical to provide these additional funds and I urge adoption of the Bingaman amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 4915.

The amendment (No. 4915) was agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, are there any other pending amendments not taken care of by the unanimous consent agreement? It is my understanding from the unanimous consent agreement that the only other amendment to be considered on this bill was the Bingaman amendment, and we now have a vote on the Reed amendment.

The PRESIDING OFFICER. The Senator is correct. The Reed amendment is the only remaining amendment under the unanimous consent agreement.

Mr. STEVENS. There is 4 minutes equally divided. I suggest the absence of a quorum, awaiting the arrival of the Senator from Rhode Island.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. 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. 4911

Mr. STEVENS. Mr. President, I understand the pending business is the Reed amendment with 4 minutes equally divided; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. REED. Mr. President, I ask unanimous consent that Senator CONRAD be added as a cosponsor of this amendment.

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

Mr. REED. Mr. President, this amendment that is offered by myself and Senator BAYH would add \$64.7 million to continue an accelerated acquisition of Predator. These are unmanned aerial vehicles that are critical to our war on terror. They were instrumental in the detection and the ultimate destruction of Zarqawi and other terrorists. They are the chief tool of our special operations forces in terms of going after, seeking, finding, and destroying terrorists and terrorist networks.

There was a plan to accelerate the deployment of these UAVs. That plan was disrupted, if you will, because of decisions previously made. But I think today we can send a uniform and unanimous message that we need to acquire these six additional UAVs to create ultimately a squadron of UAVs for our special operations command. With these weapons systems, we can continue to deal effective and decisive blows against terrorists. I urge unanimous passage of this legislation adding \$64.5 million. I commend Senator BAYH because he really was a leader in this effort in terms of drawing the attention of the committee to this shortfall in funding and requesting that it be added with this amendment.

I reserve the balance of any time remaining.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. Mr. President, we were willing to accept this amendment when the Senator first brought the Predator to the attention of this Congress. I am delighted to see more Predators being bought. This is sort of a premature type of advance. These monies would have been requested anyway for 2007, but we checked with the Department and they are willing to proceed with it now.

I urge the adoption of the amendment, and I yield back the remainder of my time.

Mr. REED. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. REED. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The question is on agreeing to amendment No. 4911.

The clerk will call the roll.  
The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 238 Leg.]

YEAS—98

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

NOT VOTING—2

Chafee Lieberman

The amendment (No. 4911) was agreed to.

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

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

The motion to lay on the table was agreed to.

FUNDING TRAUMATIC BRAIN INJURY

Mrs. HUTCHISON. Mr. President, as the Senate prepares for final passage of H.R. 5631, the fiscal year 2007 Defense appropriations bill, I would like to thank my colleagues for accepting an amendment that I cosponsored which addresses the growing concern of a number of veterans returning from combat operations overseas that may have traumatic brain injury, TBI.

According to reports, preliminary research by the center shows that about 10 percent of all service personnel, and up to 20 percent of frontline personnel, suffer concussions during combat tours. Like any medical condition, early diagnosis is the key to successful intervention and treatment.

Unfortunately, many are not being properly screened for this serious and debilitating condition. TBI clinically presents many of the same signs and symptoms of post traumatic stress disorder, PTSD. These two serious but very different medical conditions require separate and distinct treatment programs.

Because it is so important that our veteran care facilities have the proper training to distinguish between these two illnesses, I included language in the fiscal year 2007 Military Construction and Veterans Affairs appropriations bill requesting the Department of Veterans Affairs to establish a separate education program to better diagnose TBI.

With final passage of this bill, we have another opportunity to further strengthen our efforts to better understand and treat TBI. I am proud to cosponsor this amendment which will add an additional \$12 million in funding for the Defense and Veterans Brain Injury Center, DVVIC. The DVVIC is a collaboration between the Defense Department and the VA to deliver care to patients with TBI.

During testimony earlier this year, leaders of the DVVIC testified that the center needed \$19 million in funding for fiscal year 2007. This amendment brings the total funding from the \$7 million requested to a total of \$19 million. This funding level is important because it will ensure our combat veterans receive the quality care they deserve.

Mr. ALLEN. I thank my good friend from Texas for her support by cosponsoring my amendment. I have enjoyed a wonderful working relationship with Senator HUTCHISON on a number of issues, especially veterans issues. We have worked together to increase veterans health care funding as well as veterans research funding. We just recently worked together on an amendment to provide credit monitoring services to Veterans and active duty servicemembers at no cost in response to the theft of a Veterans Administration laptop computer.

Senator HUTCHISON and I, as well as other Senators from both sides of the aisle, are here today in an effort to give our veterans the health care they

so rightfully deserve. Those returning servicemembers who suffered a traumatic brain injury need the best quality care available and this amendment is a long step in that direction. I thank the Senior Senator from Texas for her support and her leadership as chairman of the Veterans Affairs Appropriations Committee on this issue.

OPERATION AND MAINTENANCE

Mr. KOHL. Mr. President, I rise today to ask the chairman and ranking member of the Defense Appropriations Subcommittee for clarification of language that appears in title IX, on page 238 of the committee's report. Under the heading "Operation and Maintenance" there is a writeup entitled "Pre-Deployment and Post-Deployment Training." The committee states in part "The Committee believes that costs accrued at home station for the aforementioned activities are allowable costs for the use of title IX funding. To the extent that such training, maintenance and reset activities displace normal peacetime training events, the amounts provided to the Department in title IX operation and maintenance accounts should be used to ensure full support of pre-deployment and post-deployment operations, as well as for continuing combat and security operations in support of the global war on terror."

Senator INOUE and Senator STEVENS, is it the committee's intent that funds provided in this title for national and field level reset repair be available for the reset of equipment used for pre-deployment and post training but not otherwise deployed?

Mr. STEVENS. Yes, that is the committee's intent.

Mr. INOUE. I concur with the Senator from Alaska in regards to the committee's intended purpose of funds provided for Army reset programs.

Mr. KOHL. Given this interpretation, I urge the committee to work with the Army to ensure that funds provided in this title and elsewhere in this bill should be used for upgrading equipment to current production type, model, and series, where determined by the Army Acquisition Executive to be required and cost effective, to include equipment used for predeployment training but not otherwise deployed.

Mr. STEVENS. The committee will encourage the Army to do so and thanks the Gentleman from Wisconsin for raising this important issue.

Mr. INOUE. Yes, thank you.

Ms. MIKULSKI. Mr. President, next week we will be commemorating an event that none of us can forget and none of us wants to relive.

We mark September 11, 2001, as a day of national tragedy. But out of the ashes rose a determination to bring the sponsors of this terrorism to justice and to reform the intelligence system that that we depend on to prevent such predatory attacks in the future.

In those first weeks and months after the attacks, we were united as a nation and enjoyed the sympathy and support

of the world. We went after Osama bin Ladin and the government that hosted him, with some of America's best and bravest. We assembled some of our wisest and most experienced leaders to investigate the events leading up to the attack and to recommend a path of reform.

Since 2001 when I joined the Senate Intelligence Committee, I have worked to bring about intelligence reform. The Intelligence Reform and Terrorism Prevention Act of 2004 was an important milestone on this journey. Important structural changes were made to our intelligence community and barriers removed to information sharing between agencies.

But where are we now?

The operational failure of 9/11 was followed by an analytical failure in Iraq. The hidden agenda of the White House and the President's lack of interest in objective analysis compounded the consequences of flawed intelligence. The President did not level with the public before the war. He did not keep his eye on hunting down al-Qaida. Instead, he led us into an unnecessary and disastrous war in Iraq.

Instead of providing oversight of the executive branch, congressional leadership has provided a rubberstamp. Instead of providing an independent voice, it has offered an echo chamber. Instead of helping the Senate Intelligence Committee investigate the Iraq intelligence failure, it has helped the White House push roadblocks in our path. And instead of taking care to safeguard liberty as we enhance security, it has closed its eyes on violations of the law and betrayal of our values.

In spite of some strong disagreements on specific issues, the Senate Intelligence Committee has come together on a bipartisan basis to implement the reforms already adopted and advance additional reform measures.

But last year, the leadership in the Senate did not allow the committee's authorization bill to be debated and voted on by the full Senate. For the first time in 28 years, the committee was blocked from carrying out its most basic function—the authorization of U.S. intelligence programs.

This month, we have learned that the majority leader does not intend to bring the fiscal year 2007 intelligence authorization bill to the floor before the Senate's fall recess. Again we face the prospect of the leadership preventing the Intelligence Committee from doing its job.

This is irresponsible and unacceptable. The authorizing committee should be the congressional vehicle for intelligence reform. The members of the committee spend the time needed to understand the issues. And we operate under special rules to keep our Nation's most sensitive secrets.

As a member of the Senate Appropriations Committee, I will do my best to make sure the intelligence community is adequately and appropriately funded. But providing direction and

guidance for intelligence activities is the job of the Intelligence Committee.

Senator ROCKEFELLER, the distinguished vice chairman of the Intelligence Committee, elaborated from the floor this week about what is at stake. The fiscal year 2007 intelligence authorization bill, passed unanimously by the committee, included provisions: to enhance or clarify the authority of the Director of National Intelligence; to encourage information sharing and access; to establish a statutory inspector general of the intelligence community; to elevate the heads of the technical intelligence agencies by requiring them to be appointed by the President with Senate advice and consent; to improve the timeliness and completeness of information provided to the committee, and; to streamline the security clearance process for National Geospatial-Intelligence Agency employees and contractors.

These measures are not trivial. If enacted, they will save lives and they will save money. They will help restore congressional oversight where it is lacking. They will help prevent abuses in intelligence operations, which bring dishonor to our nation.

In short, these measures are critical to our national security. They should not be casually discarded.

Senator ROCKEFELLER has repeatedly raised his concerns with the lack of congressional oversight of the warrantless surveillance program conducted by the National Security Agency. I join him in expressing those concerns from the perspective of a member whose state proudly hosts the headquarters of that invaluable agency.

After a long struggle against White House foot-dragging, members of congressional intelligence committees are finally being briefed on this 5-year-old program.

But as Senator ROCKEFELLER points out, we have still not received the information necessary to adequately understand and evaluate the program. Nor have we been allowed to use the Intelligence Committee's specialized staff—such as the minority counsel and the NSA monitor—who are best qualified to help us with this task.

Under these conditions, the Senate cannot evaluate the need for the warrantless surveillance program and cannot propose legislative remedies for the alleged deficiencies of the current law. These circumstances must change.

Mr. President, intelligence is at the forefront in our fight against terrorism, just as it was in our long Cold War struggle against communism. Congress has a duty under the Constitution to be a critical and coequal partner in this fight. I join Senator ROCKEFELLER in urging the leadership of the Senate to let us get on with it.

Mr. MCCAIN. Mr. President, I want to discuss the Defense Appropriations Act for fiscal year 2007, which is one of the most important of the appropriations measures that we consider annually. This legislation will provide critical funding for the men and women in

our armed forces who, at this very moment, are in harm's way. We must support them, and, for that reason, I will vote in favor of its passage. But I have serious concerns over the earmarks contained in the committee report accompanying this bill.

The bill reported out of committee appropriates over \$453 billion. This is more than \$9 billion below the President's request and I am discouraged that it required a \$13 billion amendment designated as emergency funding to get back to the President's requested funding level. Also, as is the case with so many of the appropriations bills that come to the floor, the report accompanying it contains hundreds of earmarks that were neither requested nor authorized—to the tune of over \$4 billion. During a time of war we should be making every effort to support the President's budget request instead of slashing it and then adding earmarks for favored projects.

Every day we ask the brave men and women who fight for freedom on behalf of our great nation to make sacrifices. They sacrifice in Iraq and Afghanistan as well as several other places around the globe. Our soldiers have sacrificed and their families have sacrificed. And so, we in the Congress should exercise some degree of self-restraint and sacrifice as well.

Let me mention a few of the add-ons that were included in the bill's accompanying report that were not requested in the President's budget and were not on any of the armed services unfunded priority lists—some of which have next to nothing to do with the Department of Defense or its mission:

- \$2 million for automotive research;
- \$2 million for Precision Polishing of Large Objects;
- \$3 million for improved shelf-life for Vegetables;
- \$2 million for Brown Tree Snakes;
- \$117 million for an Oceanographic Survey Ship;
- \$75 million for the Allegany Ballistics Lab in West Virginia;
- \$18.5 million for a Air Force C-17 Maintenance Training System in Hawaii;
- \$8 million for the Allen Army Airfield in Alaska;
- \$1.5 million for Fort Detrick in Maryland;
- \$4 million for disposable dental masks; and
- \$3.5 million for Hibernation Genomics.

Once again, there are also many earmarks that may be for worthy causes, such as ovarian cancer research, but there is no compelling national defense reason for these items to be funded through this legislation. These earmarks include:

- \$115 million for Breast Cancer Research;
- \$80 million for Prostate Cancer Research;
- \$6 million for Integrated Translational Prostate Disease Research;
- \$34 million for the Hawaii Federal Health Care Network; and

\$15 million for Ovarian Cancer Research.

Mr. President, as we are engaged fully in the global war on terror, it is imperative that we get the most of each and every defense dollar. The money that is being diverted to projects like the ones I have mentioned could instead be used for body armor or other critical needs to protect our troops and help win the war on terror. The earmarks I have mentioned are just a small sampling of the many, unrequested earmarks that fill the accompanying report. These earmarks are draining our precious resources and are not vital to our long term national security. I strongly encourage the Federal agencies affected to use their judgement to ensure they are not allocating resources to projects that are not legislatively mandated or authorized, but rather, are merely the wish lists of the committee.

Beyond the earmarks contained in the Senate report, this bill contains numerous authorizing provisions, some of which are outside of the scope of defense policy. Some of these provisions include:

Authorizing medical services at Army medical facilities located in Hawaii for civilian patients;

Authorizing the use of up to \$50 million for operational ranges managed by the Air Force in Alaska; and

A provision that protects jobs in Hawaii and Alaska.

Mr. President, I have no doubt that some of these provisions may be important while others are questionable at best. What is important is that we follow the authorization process and restrain ourselves from using appropriations bills to authorize projects on this bill that have not been requested by the Department of Defense, nor approved by the authorizing committee.

I would also like to discuss the Buy America restrictions that cost the Department of Defense and the American taxpayers. Like in previous appropriations bills, this year's bill imposes a number of Buy America restrictions.

For example, the bill would prevent the purchase of ball bearings unless domestically produced. It requires that welded shipboard anchor and mooring chain be manufactured in the United States. Another section prohibits the Department of Defense from purchasing supercomputers from a foreign source.

I continue to be very concerned about the potential impact on readiness of our restrictive trade policies with our allies. From a philosophical point of view, I oppose these types of protectionist policies. I believe free trade is an important element in improving relations among all nations and essential to economic growth. From a practical standpoint, "Buy America" restrictions could seriously impair our ability to compete freely in international markets and also could result in the loss of existing business from long-standing trade partners.

Some legislative enactments over the past several years have had the effect of establishing a monopoly for a domestic supplier in certain product lines. This not only adds to the pressure for our allies to "Buy European" but it also raises the costs of procurement for DOD and cuts off access to potential state-of-the-art technologies. DOD should have the ability to make purchases from a second source in an allied country covered by a defense cooperation memorandum of understanding when only one domestic source exists. This would ensure both price and product competition.

Defense exports improve interoperability with friendly forces with which we are increasingly likely to operate in coalition warfare or peacekeeping missions. They increase our influence over recipient country actions, and in a worse case scenario, allow the U.S. to terminate support for equipment. Exports lower the unit costs of systems to the U.S. military. In recent years they have kept mature lines open while the U.S. has developed new systems that will go into production around the turn of the century. Finally, these exports provide the same economic benefits to the U.S. as all other exports—well paying jobs, improved balance of trade, and increased tax revenue. These are really issues of acquisition policy, not appropriations matters.

Mr. President, I would prefer not to criticize this legislation. It is very important to the ultimate success of our ongoing war on terror. Yet I believe it is important to point out to the American taxpayer where some of their money is going. And some of it is not going to projects that have anything to do with our defense.

Mr. FEINGOLD. Mr. President, as the Senate prepares to vote on the Department of Defense appropriations bill for fiscal year 2007, I want to thank all of our brave soldiers, sailors, airmen, and marines for their hard work in the ongoing fight against terrorism, in Iraq, in response to natural disasters here at home, and in the many other missions to which they have been assigned around the world. These dedicated men and women, along with their families, are making great sacrifices in service to our country. We owe a tremendous debt of gratitude to the members of the United States Armed Forces for their selfless service.

I am pleased that the Senate is about to pass the Defense Department appropriations bill. While I continue to have grave concerns about the misguided strategy this administration is pursuing in Iraq, the Senate bill includes funds for many important programs and priorities for our servicemen and women. In particular, the bill includes a well-deserved, although modest, 2.2 percent across-the-board pay raise for our military personnel. It also increases funding for vital equipment for those in uniform facing daily dangers in Iraq and Afghanistan. I am also pleased to support a number of good

provisions in this bill that seek to ensure that our troops have the equipment they need to perform their duties on the ground, including increased funding for body armor and personal protection equipment, as well as additional funding for up-armored humvees.

I am also pleased to support increased funds for the National Guard and Reserve, including an additional \$340 million for force protection equipment. This bill includes critical funding that will help the National Guard repair its equipment and reinstate a superior readiness level so that it is capable of defending our country and responding to natural disasters within the continental United States.

While I strongly support increased funding for the National Guard, and for border security, I opposed Senator SESSIONS' amendment to appropriate nearly \$2 billion to the Army National Guard solely to build hundreds of miles of fencing along the southern border. I did so because it is difficult to justify pouring massive Federal dollars into efforts that have not been shown to be effective. We must improve border security but we simply do not have the data to show that border fences are an effective deterrent to illegal immigration. For that reason, I opposed the authorization of this fencing when it was proposed as an amendment to S. 2611, the Comprehensive Immigration Reform Act of 2006, and I opposed appropriating the funds for it in this appropriations bill.

The better approach would be to first implement another provision of S. 2611 that directs the Attorney General, in cooperation with other executive branch officials, to conduct a study on this question. The study would analyze the construction of a system of physical barriers along the southern international land and maritime border, including the necessity, feasibility, and impact of such barriers on the surrounding area. It is estimated that construction costs for these border fences is more than \$1 million per mile. And that doesn't include the cost of maintaining these structures. Furthermore, there are very serious concerns about the environmental impact this type of massive construction project would have. Before we commit to pouring precious Federal dollars into a massive fencing system, at the very least we should do a thorough analysis of the most effective and fiscally responsible means of securing our borders against illegal transit.

While I support much of the funding for intelligence activities contained in the bill, I am deeply concerned at the failure of this Congress to pass an intelligence authorization bill. Congressional oversight of intelligence has never been more important. Strengthening our Nation's intelligence capabilities after the attacks of September 11 requires the involvement of Congress, which is why the 9/11 Commission described strengthened oversight

as one of its most important recommendations. The disastrous failures of intelligence related to Iraq, both by the intelligence community and by the administration, further highlight the importance of thorough congressional scrutiny. Recently revealed programs such as the NSA's illegal warrantless wiretapping and secret CIA detention facilities, are among the intelligence activities that the congressional intelligence committees must examine. Thirty years after the Senate Intelligence Committee was created in the aftermath of well-documented abuses, we need to ensure that Congress does not abdicate its important oversight responsibilities.

While I do support many of the provisions in this bill, I am deeply disappointed that the bill fails to put our Iraq policy on a better footing. My vote for this bill in no way signals support for that policy, which is hurting our national security. The war in Iraq is having a negative—and dramatic—effect on our military's capability and readiness levels. Because of the heavy usage of military equipment in Iraq, the Army National Guard's 34 brigades are not combat-ready, and it will be no easy task getting our physical capacity back up to full strength. The costs we are incurring in Iraq are devastating and they are not advancing our national interests particularly when they are undermining our military's capacity to defeat the terrorist networks that attacked us on 9/11. I will continue to call for the redeployment of our forces from Iraq so that our military remains strong and so that our country can refocus on fighting the terrorist networks that attacked us on 9/11.

Unfortunately this spending bill contains many unnecessary items. The administration continues to request large amounts for Iraq and Afghanistan through "additional" or "emergency supplemental" appropriations not subject to limits on total discretionary Federal spending and not subject to the full congressional authorization and appropriations review process. I continue to be deeply concerned about this administration's priorities and about the process by which we consider the Department of Defense authorization and appropriations bills, a concern I voice every year at this time. However, on balance, this legislation contains many good provisions for our men and women in uniform who serve our country selflessly around the world. That is why I support it.

Mr. SANTORUM. Mr. President, in the course of attending a funeral today, I missed two votes. On the Conrad amendment No. 4907, I ask that the record reflect that, had I been here, I would have voted "aye." And on the motion to table the Menendez amendment No. 4909 I ask that the record reflect that I would have voted "aye."

Mr. President, I rise today to offer my support for Department of Defense funding for the National Drug Intelligence Center in Johnstown, PA.

The National Drug Intelligence Center, NDIC, established in 1993, is a component of the U.S. Department of Justice and a member of the intelligence community. The General Counterdrug Intelligence Plan, implemented in February 2000, designated NDIC as the Nation's principal center for strategic domestic counterdrug intelligence. NDIC's mission is to provide strategic drug-related intelligence and assistance to the drug control, public health, and national security authorities of the United States in order to reduce the adverse impact of drug trafficking, drug abuse, and related harms in this country.

Since September 11, 2001, we have become gravely aware of the importance of intelligence to all aspects of our national defense. This lesson is certainly applicable when assessing the resources generated by drug trafficking among terrorist groups and their sympathizers. I have been told that, since January 2005, NDIC has provided support to the Department of Treasury's Office of Terrorism and Financial Intelligence to produce the Nation's first National Money Laundering Threat Assessment. For this effort, NDIC received a letter of commendation from the Treasury Department for its "extraordinary contribution" to this effort. This is but one example of the fine work that is provided by those who serve this country at NDIC. The center is also actively contributing to the Department of Homeland Security's Office of Counter Narcotics Enforcement on an ongoing drug/terror nexus project. Further, NDIC personnel support the Drug Enforcement Administration's Special Operations Division which targets the convergence of terrorism and traditional drug trafficking networks. These contributions go along with the center's Document Exploitation Division which, I am told, is second to none in extracting useful information from lawfully-seized evidence.

NDIC is providing a valuable service to this country. It is the only agency with the independence to provide the National Drug Threat Assessment while still maintaining the versatility to assist in the ongoing operations and assessments conducted by the organizations that I have mentioned. The people of Johnstown who staff this facility are of the highest professional capabilities. It is important that we maintain these capabilities as we fight the war on Islamic fascism on many different fronts.

The House Defense appropriations bill provides \$39 million for the center. I look forward to working with the chairman and ranking member to ensure that this funding is included in the final conference report with the House. I firmly believe that the National Drug Intelligence Center is an important instrument in providing for our Nation's security. I believe that the administration should include it in its budget in future fiscal years. I will be writing President Bush in the coming days to make this case. At a time

when the nexus between drug traffic and terrorist groups is becoming more acute, we need to make funding for our intelligence capabilities one of our highest priorities.

Mr. FRIST. Mr. President, the next vote will be on passage of the Defense appropriations bill. I congratulate the managers. It has been a job well done.

We are going to be on the port security bill tomorrow and on Monday. The managers are here, and they are ready to debate and take up amendments. We will not be voting tomorrow.

I remind my colleagues that we have scheduled an event on Monday at 6 o'clock to commemorate the fifth anniversary of the 9/11 attacks. We invite all Members to participate.

There will be no more votes tonight. We will not be voting tomorrow. We want to have all opening statements tonight and tomorrow on the port security bill.

We will have announcements tomorrow morning as to whether we will be voting on Monday. The Democratic leader and I will make that announcement.

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

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

The bill was read a third time.

Mr. STEVENS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The bill having been read for the third time, the question is, Shall the bill pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: The Senator from Rhode Island (Mr. CHAFEE).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 239 Leg.]

YEAS—98

Akaka	Clinton	Feingold
Alexander	Coburn	Feinstein
Allard	Cochran	Frist
Allen	Coleman	Graham
Baucus	Collins	Grassley
Bayh	Conrad	Gregg
Bennett	Cornyn	Hagel
Biden	Craig	Harkin
Bingaman	Crapo	Hatch
Bond	Dayton	Hutchinson
Boxer	DeMint	Inhofe
Brownback	DeWine	Inouye
Bunning	Dodd	Isakson
Burns	Dole	Jeffords
Burr	Domenici	Johnson
Byrd	Dorgan	Kennedy
Cantwell	Durbin	Kerry
Carper	Ensign	Kohl
Chambliss	Enzi	Kyl

Landrieu	Nelson (FL)	Smith
Lautenberg	Nelson (NE)	Snowe
Leahy	Obama	Specter
Levin	Pryor	Stabenow
Lincoln	Reed	Stevens
Lott	Reid	Sununu
Lugar	Roberts	Talent
Martinez	Rockefeller	Thomas
McCain	Salazar	Thune
McConnell	Santorum	Vitter
Menendez	Sarbanes	Voinovich
Mikulski	Schumer	Warner
Murkowski	Sessions	Wyden
Murray	Shelby	

NOT VOTING—2

Chafee Lieberman

The bill (H.R. 5631), as amended, was passed.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate insists on its amendments, requests a conference with the House, and the Chair appoints the following conferees: Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mrs. HUTCHISON, Mr. BURNS, Mr. INOUE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mr. REID, Mrs. FEINSTEIN, and Ms. MIKULSKI.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. STEVENS. Mr. President, I take this opportunity to thank my staff for all their hard work on this bill, especially my clerk, Sid Ashworth. As always, she has done the work on this bill and a multitude of amendments, along with the staff. And Charlie Houy, on Senator INOUE's staff, has given good advice and leadership.

I also thank my colleague and partner, Senator INOUE. It is a nice birthday present to pass a bill of this size, I say to the Senator.

As I said, Charlie Houy, Betsy Schmid, Nicole Di Resta, and Kate Fitzpatrick for their support on this bill.

There is a large staff that works on this bill. We do not often name them all, but I will do it this time. This was a tough bill. I give credit to Kate Kaufer, Brian Wilson, Brian Potts, Alycia Farrell, Mark Haaland, Ellen Maldonado, Michael Pollock, Alison Garfield, Bridget Zarate, Jennifer Chartrand, and Janelle Treon. Miss Treon is not with us. She recently left the committee, but she was a vital partner in the creation of the bill. We wish her good luck in her new life in North Carolina. She can learn to dodge the hurricanes.

Thank you very much.

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

ORDER OF BUSINESS

Mr. FRIST. Mr. President, just for the purpose of our colleagues' schedules, we will not be voting Monday evening. Monday is September 11. As we said, there will be an event here at 6 o'clock, and I encourage all our colleagues to participate. But a number of our colleagues did ask whether we will

be voting Monday evening, and we will not. So there will be no rollcall votes on Monday.

We are going to turn to the port security bill, a bill that has been the subject of a whole lot of work by a number of our colleagues by both sides of the aisle. We have three committees that have parts of jurisdiction here. It is a very important bill. As we work to secure this country and secure the safety of the American people, we absolutely must address the issue of port security. So I am very pleased we are bringing that bill to the floor. We will address it tonight and tomorrow and Monday, and hopefully we can finish it shortly thereafter. I talked to the Democratic leader, and the managers on both sides of the aisle will be working to gather the amendments. We will be discussing and talking about those at the appropriate time.

SECURITY AND ACCOUNTABILITY FOR EVERY PORT ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 432, H.R. 4954, the port security bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4954) to improve maritime and cargo security through enhanced layered defenses, and for other purposes.

AMENDMENT NO. 4919

(Purpose: To provide a complete substitute)

Mr. FRIST. Mr. President, I ask unanimous consent that the substitute amendment at the desk be considered and agreed to and further that it be considered as original text for the purpose of additional amendments and for debate only this evening.

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

The amendment (No. 4919) was agreed to.

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

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise to present the Port Security Improvement Act of 2006. This bill will help to close dangerous gaps in our ability to protect our shipping lanes and seaports from attack.

A number of our colleagues have worked very hard on this bill. This bill reflects not only bipartisan consultation and support but coordination among the Senate Homeland Security Committee, the Commerce Committee, and the Finance Committee. I thank our leader, Senator FRIST, for encouraging and facilitating those discussions.

I particularly wish to thank my colleague, Senator MURRAY, who joined me in sponsoring the GreenLane cargo security bill in November of 2005, which