

things. It is nonsense. Let's discuss the issue rationally and see where they have been all these years when we have had practically flat funding on this critical issue for some 4 years now, not even meeting the growth in inflation.

I have heard lectures about the effect on minorities. I will tell you something. The National Minority AIDS Council opposes this bill and supports our objection.

I ask unanimous consent that a communication from them be printed in the RECORD.

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

THE RYAN WHITE HIV/AIDS TREATMENT
MODERNIZATION ACT OF 2006

DEAR MEMBERS OF CONGRESS: On behalf of the National Minority AIDS Council (NMAC) and our national constituency of more than 3,000 minority community based organizations on the front lines of the fight against HIV/AIDS in their communities, we would like to thank Congress for its efforts to reauthorize the Ryan White Comprehensive AIDS Resources Emergency Act (CARE Act).

NMAC supports the legislation's goal to retain the current structure of the CARE Act while seeking to protect care infrastructures and responding to demographic shifts in the HIV epidemic.

However, we are concerned that the legislation, as drafted, does not address the need of all minority populations infected and affected by HIV/AIDS nationwide, and believe it needs several improvements before passage in order to gain our support.

As the nation's largest discretionary spending program aimed at providing care, supportive services and treatment for individuals and families infected and affected by HIV/AIDS who would not otherwise receive access to these services, full funding for the CARE Act is essential and the appropriate authorized funding levels should be a high priority of the Congress in the reauthorization of the law.

Unfortunately, the CARE Act has been flat-funded for a number of years, even as the rate of new HIV infections is consistently reported at approximately 40,000 per year.

Full funding for the CARE Act is critically important to communities of color that have been devastated by the epidemic. Without a fully funded CARE Act, at \$2.6 billion, many men, women and children of color will not have access to this care and gaps in health disparities will grow exponentially.

NMAC supports the direction of additional funding to areas with high HIV incidence; however, with the absence of additional funding states like New York, California, Florida, Texas and New Jersey that have historically been epicenters of the epidemic may be faced with the destabilization of systems of care. We believe regions of the country should not have to advocate for additional funding to the detriment of other areas seeking to care for those affected by the disease.

NMAC is also opposed to several other provisions of the bill, including the inclusion of the Early Diagnosis Grant Program and the lack of additional funding and resources for the Minority AIDS Initiative.

If you have any concerns or questions about our concerns, please feel free to contact Damon Dozier, NMAC Director of Government Relations and Public Policy at (202) 234-5120 extension 308 or HYPERLINK "mailto:didozier@nmac.org".

Mr. LAUTENBERG. The Ryan White CARE Act reauthorization legislation

that is before us now would shift already inadequate Ryan White money away from States such as New Jersey where the epidemic first appeared and where the need is still growing, to States where the epidemic is emerging.

I have been to an AIDS ward in a hospital in Jersey City. I have looked in those cribs where those little things are, twitching and moving because they come from mothers who have been HIV-infected, and the effect is horrible to witness. These are poor people.

In this State of mine we have five of America's poorest urban centers. That is where we see the dominance of the HIV/AIDS epidemic.

This bill pits cities against cities, States against States, women against men, and urban areas against rural areas. That is not the way to do it, if you really care. We need to fully fund the Ryan White CARE Act. But the majority is not willing to do that. So they are trying to steal the funds away from States that have the need and already have the population to serve.

It is less than amusing for me to hear people who oppose adequate funding for this program suddenly act like this is the primary concern to them, that everybody else who doesn't agree with them is cowardly. And these four Senators they keep identifying—I am one of the four, proud to be one of those four. If there is a newly emerging problem in rural areas, then there is one answer—add money, add funding. But instead of funding AIDS treatment, the Senators on the other side of the aisle who are not here to defend the tax giveaways or the cost of the war—they voted to give away AIDS funding money to wealthy Americans, the wealthiest among us, in massive tax cuts. That's OK. Give that money to the rich so these poor little things, shivering in their cribs, can just do with a little bit less than they have. How about, instead of the estate tax cut for Paris Hilton—substantial funds—I ask my colleagues, why don't they come out here, protest that, and say let's give that money to help people with AIDS?

The majority has allowed President Bush to turn Iraq into such a mess that we are spending over \$2 billion a week. Our whole program is \$2 billion a year. So why don't we cut back for a couple of weeks, give it to support treatment for HIV/AIDS. What if we could take just 1 week's worth of spending in Iraq for AIDS treatment?

We still have a massive problem in our States, and maybe they have an emerging problem. My suggestion, with all my heart, fund it. Find the money for it. But don't take it away from a neighbor or another State where the problems are overwhelming as well.

In my home State of New Jersey, we have the highest proportion of cumulative AIDS cases in women. We rank third in cumulative pediatric AIDS cases. Furthermore, we have consistently ranked fifth in overall cumulative AIDS cases since the beginning of this epidemic.

Yet under the reauthorization proposal, we stand to lose \$70 million. It is unacceptable. It is not acceptable for us to simply say this is a formula fight and there will undoubtedly be winners and losers because the losers in this case pay a terrible price.

With the Ryan White CARE Act, when we talk about losers we are talking about lives being lost. I for one will not settle for such an outcome. I object to this process and to this bill because it is a shortsighted approach to how we take care of HIV and AIDS patients in the future.

This bill will take hope away from people living with HIV/AIDS to urban areas in large States. I will not let it happen on my watch, no matter how challenging or how vitriolic the suggestions are made talking as if we are afraid to come out. We are not afraid at all to defend our position. We just think theirs is wrong.

Come out and tell the truth about how you feel about it and say, let's find more money. Let's have a debate about higher funding for the Ryan White CARE Act and see if we can get the necessary means to cover our needs.

I don't think you are going to hear that from the Senators who were so bold in their accusations.

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

Mr. LAUTENBERG. Mr. President, I thank you. I will continue to object to going forward with this bill.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, would you signal to me when I have used 15 minutes of my 20 minutes?

The PRESIDING OFFICER. The Chair will do so.

SORRY FATE OF TAX EXTENDERS
IN "TRAILER" PACKAGE

Mr. GRASSLEY. Mr. President, we've hit the end of the road on trying to pass the trailer bill separately. It is pretty clear we won't get a bill to the President's desk before we recess for the upcoming mid-term elections.

From my perspective the right thing to do is to pass legislation that resolves two important tax policy issues. The issues are a permanent death tax relief package and the trailer bill which contains a retroactive extension of several tax relief provisions. Those provisions expired on December 31, 2005. That is the right date—December 31, 2005. Taxpayers have lived with uncertainty on these bipartisan, widely-supported provisions for almost 9 months or three-quarters of a year.

How did we get here? How come we can't get a permanent death tax relief deal when it is clear that more than 60 Senators are on record in support of repeal or significant relief? How come we can't get a resolution of expired tax provisions that are overwhelmingly supported in both the House and Senate? This uncertainty is solely the responsibility of the leadership of both

parties here in the United States Senate.

We are stuck on death tax because the Democratic leadership won't let enough Democratic Senators vote their conscience. It's all because of political calculations. That's a shame. Family farmers and small business owners deserve an answer to the uncertainty posed by the death tax. My answer would be to repeal the death tax. Repeal isn't in the cards. We have had votes to prove it. Unfortunately, the political proof that repeal wasn't in the cards didn't materialize until the cloture vote we had back in June.

The American people deserve a final and definitive answer on death tax relief. As we go home, they have only to look to the Senate Democratic leadership and ask why the Senate was not permitted to work its will on this issue.

I want to tell the rightfully disappointed family farmers and small business folks that we will resolve the death tax problem. It should have been resolved by now. And, it will be resolved in a way that focuses on family farms and small businesses. I pledge to family farmers and small business folks, especially those in my home state of Iowa, that I will devote my energy and resources, as chairman of the Senate Finance Committee, to resolving this problem.

Let's turn to the trailer bill. It's an odd name for a bill. The bill has been held up for so long some folks have probably forgotten the basis of the nickname. I will remind you. It's a trailer bill because it covers tax provisions that dropped out of the tax relief reconciliation conference agreement. That conference agreement included the cornerstones of both the House and Senate bills. The cornerstone of the House bill was a 2-year extension of the lower rates on capital gains and dividends. The cornerstone of the Senate bill was an extension of the hold-harmless on the alternative minimum tax—"AMT". I was pleased we covered the cornerstones of both bills. We only had revenue room to cover the cornerstones. The other provisions, principally the tax extenders, were decided to travel in a bill to follow or "trail." Hence the name trailer bill.

The trailer bill took several weeks of intense negotiations. The negotiators were Chairman THOMAS for the House and Senator BAUCUS and me for the Senate. They were tough negotiations, but they produced a fair agreement. That agreement was included in the trailer piece of the trifecta. The House ratified Chairman THOMAS's agreement when it passed the trifecta.

In my view, the agreement is closed. No items should be subtracted. No items should be added. A deal is a deal. Let me repeat that. A deal is a deal. Changes should only occur if all the parties to the agreement consent. We don't have another 5 to 6 weeks to renegotiate the trailer bill.

In getting to that agreement, I pushed hard for several Senate issues

to be resolved. I'm referring to items other than the basic 2-year extension of provisions that expired on December 31, 2005. Let me go through a few of those items.

First off, there is the abandoned mines reclamation—AML—fund proposal. Senators SANTORUM, BYRD, and ROCKEFELLER took the lead in this plan. Chairman ENZI did the heavy lifting.

Secondly, there is a package of added incentives to enhance Hurricane Katrina rebuilding efforts. Senator LOTT took the lead on this package, along with the support of Senators VITTER, and LANDRIEU.

Third, there are tax relief incentives for mine safety. Senators BYRD, SANTORUM, and ROCKEFELLER argued for these important provisions.

Fourth, there is an expansion of the veterans mortgage bonds program. This is a program that the states use to provide veterans who return from combat with low-interest loans so that they can buy their families a home. Senators DEWINE and SMITH advanced these provisions.

Fifth, there is a proposal to provide a deduction for private mortgage insurance—PMI—for low-income home purchasers. Senators LINCOLN and SMITH worked hard to secure these provisions.

Sixth, there is a proposal to level the playing field between individual and corporate timber capital gains transactions. This proposal will insure that timber-growing areas and related mill towns will not be disadvantaged if the timber company is a corporation. Most, not all, of the Senators from the timber growing states in the Pacific Northwest and southeast had an interest in this provision.

These are a few of the proposals that were negotiated and resolved in the trailer package. In my role as Finance Committee chairman, I protected these Senate positions. I expect our Senate Leadership to back me as we proceed. I am protecting Senators and Senate positions, so you would think they would automatically back me. To reiterate, a deal is a deal. The House has affirmed the deal with its vote on the trifecta. There should be no backsliding on the deal.

Now, we haven't been able to move a separate trailer bill because the Republican Leadership wants to use the trailer as a "sweetener" for votes for death tax relief at some future point. I have been pushing for a separate bill for a lot of reasons. Some Republican colleagues have complained about my efforts, using terms like "whining" to describe my persistence.

Why push so hard for a separate bill, some have asked. There are three key reasons. The first is the 19 million taxpayers who may face compliance problems because of incomplete IRS forms. The second reason is the hundreds of thousands of business taxpayers who have been in limbo waiting for final approval of measures like the research and development tax credit. Third, I'm

virtually certain that the leadership's strategy of trying to use unrelated "sweeteners" to turn Democratic votes for a death tax deal will continue to fail.

Let's go through these reasons, one-by-one.

First, take a look at the Finance Committee website. On September 13, and 26, 2006, you will find press releases that explain Finance Committee tax staff research. At my request, the tax staff looked into the effects of delaying action on the three widely-applicable expired middle-income tax relief provisions. I am talking about the deductions for college tuition, teacher's out-of-pocket classroom expenses, and State sales tax. You will see that we are talking about a group of up to 19 million tax filers being affected. Tax filers means families filing jointly and individuals filing as singles. In other words, we are talking about a lot more than 19 million taxpayers. Let me repeat that. More than 19 million taxpayers. The professional staff, all experienced tax practitioners who discussed this problem with the IRS, came to the conclusion that delaying action on extenders into the lame duck would have adverse consequences for that group of 19 million taxpayers. I won't go into details, you will find them on the website.

Let me say that serving as chairman of the Senate Finance Committee is a privilege and a responsibility. I thank the people of Iowa and my friends and colleagues in the Senate Republican Caucus for that privilege. I enjoy every day I serve as chairman, but it brings responsibilities as well. One of those responsibilities is tax policy. Now, whether an individual Senator agrees or disagrees with a particular expiring tax relief matter is debatable. We all have opinions on these things. Probably no two Finance Committee members, let alone two U.S. Senators not on the committee, agree on all expiring tax relief measures. What we ought to agree on, is that we should not deliberately, and I underline the word deliberately, take actions to unnecessarily complicate taxpayers' efforts to comply with our admittedly complex tax system. That's what delaying action on these provisions means. There's no ifs, ands, or buts. If we do not act before the 2006 IRS forms are finalized we're causing problems for these 19 million taxpayers. It's just not right.

As chairman, I would not be doing my job if I stayed silent. I had to speak out. It's my responsibility to those millions of taxpayers. Some have called it whining. Some might call it annoying. Others could call it persistence. I call it doing my job. When you are talking about up to 19 million middle-income taxpayers who are trying their best to comply with the tax system, I will whine until I run out of breath. I tried to remedy this problem by persuading my leadership to change

its mind. I did it in a way that is respectful of the rights and responsibilities of the leadership. I'm disappointed and frustrated that leadership has failed to act.

The second reason I pressed for a separate trailer bill is to deal with long-expired business-related tax incentives. These matters, like the research and development tax credit, are overwhelmingly popular in the House and Senate. Businesses have been in limbo on these provisions. We are talking about almost 9 months of limbo now and at least another month of limbo. A lot of businesses, in good faith, relied on my assurances. They relied on assurances of the Congressional leadership, made in May of this year. These business folks were assured that these extenders would be done. In my State, Rockwell-Collins, of Cedar Rapids, is taking a financial hit because of our dilly-dallying. And it is not just management that cares. Iowa is a manufacturing State and we are proud of our "R & D." Thousands of Iowa employees of these companies have the right to ask why this popular provision is being delayed. Some of them could ask why something this popular is a "hostage" to be cavalierly shot? They could ask me if political "credibility" of threats is more important than a job-based incentive?

When they ask me these questions, I could blame the Democratic leadership for thwarting Republican efforts to get death tax relief. Certainly, there's truth to that defense. But, the Iowa workers, as most Midwesterners, want to know the bottom-line. Blaming the other side is fair political discourse and everyone does it. But it is not a satisfactory answer if the matter is not taken care of. We owe these companies and workers a ticket out of limbo.

I come to the third reason I pushed for a separate trailer bill. Almost 2 months ago, the proponents of the trifecta rejected my advice and decided to place the bet. I advised them publicly and privately that it would not work. I won't repeat all of that. It is in the CONGRESSIONAL RECORD of August 3. The bottom line is that the horses didn't come in on the trifecta. After the vote, being worried about the endless delay on extenders, I suggested a course of action that would "keep the hope of death tax relief alive." Under the plan, the leadership would push for an early vote on the trifecta in either the form in which it failed or in a revised form. If it were to fail, I suggested we pass a separate trailer bill.

This plan would have tested, for a fourth time, whether sweeteners for key Democrats would turn their votes to favor a death tax relief package. I was convinced months ago that sweeteners wouldn't turn Democrat votes.

On this point about turning votes with sweeteners, let's step back for a second and look at the big picture. Death tax is a passionate issue. There is a moral dimension to it. Liberals tend to define any death tax relief as

immoral because they argue the benefit of the relief will go to wealthy people. The political ads they produce use the actress Paris Hilton as an example.

Conservatives also look at the death tax as a moral issue. They see the death tax as confiscation of the fruits of labor and saving. It's a penalty on the rewards of hard work. From our perspective, the death tax is about small business and family farms. It's about providing one generation with a chance to pass on the results of their thrift and work to the next generation. The political ads we produce use family farm and small business examples.

So, this is an issue where folks have strong feelings. Ironically, from a process standpoint, Republicans and Democrats think alike. Here is what I mean by that comment. Republicans and Democrats want permanent relief. Most, not all, of my caucus wants permanent repeal. A few Democrats agree with that view. Because of the political calculations I referred to before, you can not find a definitive Democratic Caucus position plan on death tax relief. The Democratic Caucus is divided into three groups. Some want repeal. Some want significant relief short of repeal. Another group, probably a big majority, the liberal core, wants symbolic permanent relief and don't want to lose much revenue in doing it.

There is a huge irony in all of this. The irony is the Republican leadership's sweeteners strategy ignores this basic mindset on the death tax. Republicans will not compromise their principles on the death tax with unrelated sweeteners. Neither will the middle group of Democrats.

The ultimate evidence is record votes. As former Majority Leader Bob Dole once said, it's all about the votes. The evidence that sweeteners don't matter is on the record. Take a look at it. Timber capital gains was added as a sweetener on the first Thomas effort. It did not change any votes. There was an effort to add the pension bill to a death tax relief package. That didn't change votes and was aborted. Then, we had the third sweetener effort, the trifecta. A minimum wage hike, the ultimate sweetener, was added along with the trailer bill. It changed one vote in gross. We are not certain, that if all Democratic Senators were here that day, that, on net, the vote count would have changed.

As the old saying goes about some places, there is no there, there. The sweeteners strategy is like the places the old saying refers to. If our goal is 60 votes and permanent death tax relief, there is no there there.

Rest assured, another trifecta run will carry extra political baggage. Don't listen to me. Listen to the Democrats who have resisted the iron hand of their leadership on this issue. Senator LINCOLN has taken more heat than any single Senator in trying to get permanent death tax relief. Ask her for her opinion on this "sweetener" strategy. She says forcing the political

votes on the trifecta set us back on getting permanent death tax relief.

Why, with the pressure of elections off, and a new session coming up, would any targeted Democrat Senator switch their vote on a bill that was designed to squeeze them? Would any of my Republican friends in the same position react any differently? Think about it.

Add to this futility another factor. Taking another run at a revised trailer bill would start an endless negotiation. If we re-open the trailer bill with the idea of adding even more sweeteners, where do we stop? How would that endless negotiation help close a deal on permanent death tax relief? The truth is trying to play trailer bill issues for more votes on death tax relief only complicates resolution of the death tax.

So, the third reason I continued to try to clear the trailer bill is that I want a clear path to a death tax deal. Combining death tax relief with other issues only complicates our ability to get a death tax relief package. There is little or no utility in continuing the failed strategy of trying to "turn" death tax deal votes.

Now, where do go from here? As I said a few minutes ago, I want to resolve two important tax relief issues—permanent death tax relief and the trailer bill. One package is done—it's the trailer bill. The other package needs some work, but can get done. We might even have a shot at permanent death tax relief in lame duck. If we are going to move the ball forward, we are going to have to recognize that we have two separate tax relief products. I hope all of us have finally learned that lesson. If we have learned our lessons, the trailer bill is a slam dunk. If we have learned our lessons, and, key Democrats are finally freed to do what they want to do, they will vote their conscience and their constituents' interests. If those two critical steps occur, we will get a permanent death tax relief deal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I thank my friend, my colleague, and chairman of the Committee on Finance, Senator GRASSLEY, for trying to do what is right, and that is to get the extenders package passed tonight. He has done an excellent job of explaining why the so-called trifecta bill—that is the standards trailer, melded in with the estate tax reform, melded in with a minimum wage reduction—just is not going to work.

Three times I have tried to urge this Senate to pass the so-called extenders. Three times the Senate disagreed; that is, I have asked for unanimous consent three times and each time the Senate said no. The objection was from the other side of the aisle.

I again thank my friend from Iowa. I think it is important to realize how vitally important it is we get these so-called extenders passed. What are they?

They are basic provisions in the Tax Code which expired at the end of last year. They expired. There is a deduction for teachers' classroom expenses, a deduction for education tuition, there is a deduction for State sales tax revenue, there is a deduction for research and development. They all expired. These are all provisions that many Americans have relied on and hope to rely on when they file their tax returns next year.

They are not in the law. It is already September 29. We have not acted to extend these. They are extremely important to an awful lot of people.

Let's just take teachers, for example. Teachers desperately want to help teach their kids. Some of them buy classroom supplies. They go down to Wal-Mart and buy supplies and they get a deduction for the classroom supplies they buy. It is important for the teachers. It is important for the kids. It is a good thing to do. It has been in the law—at least it has been in the past. It was a law through 2005.

What about tuition deduction? We all know how important that is and how much people depend on that for their education expense, particularly when tuition is going up so much. I cannot believe it, that expired at the end of last year.

This Congress, apparently, is not going to enact it. I have asked the Senate three times to bring it up and pass it, joined in by my good friend from Iowa. Three times the other side of the aisle objected. Why did they object? Because they want to tie it back into estate tax reform, they want to tie it back into minimum wage reduction. We all know that is not going to work. As the Senator from Iowa said, clearly and eloquently, we tried that many, many times and that dog don't hunt. That bird doesn't fly. It just doesn't work. It is not going to go.

What should we do, if that is not going to work, if that is not going to go? We should exercise our responsibilities and do what is right.

I have a couple of charts. I want to show everyone what the 1040 form looks like. This is the basic Form 1040 that applies to taxpayers who paid taxes in the year 2005. The two provisions at issue are highlighted here. Line 23 is "educator expenses," and line 34 is "tuition and fees deduction." Line 23, for educator expenses, is for teachers who spend money on classroom supplies. There are 3.3 million exercising this deduction. They want to help their kids and, obviously, lower their taxes, so they took the deduction.

Line 34 on Form 1040 is "tuition and fees deduction." About 3.6 million Americans took advantage of that deduction when filling out their tax returns for the tax return for 2005.

What will happen if we do not pass this extenders provision tonight or tomorrow? First, the IRS has said their drop-dead date is mid-October. They need to know what the law is by mid-October. We will not be here mid-October

if we do not pass these extenders, these provisions in the next couple of hours. We are not going to be here. If we come back in a lame duck session—November 13 we are coming back—who knows how soon it will be before we finally take up the extenders?

I suspect because these are so popular that this is going to attract an awful lot of other legislation. Maybe it is the estate tax change, wages—I don't know what it will be, but it will attract a lot of attention at the lame duck session. So that means it will probably delay.

I don't know how long this lame duck session will last. I have been here for some lame duck sessions close to Christmas, very close to Christmas. I remember one that was 2 or 3 days before Christmas.

What happens if we pass the extenders late? Here is what will happen. These lines I told you about, lines 23 and 34, are going to change. If this is the basic 1040 form—and there are more deductions than this that taxpayers can take, but these are the basic deductions and the most important deductions—line 23 is no longer a deduction for teachers classroom supplies. Instead, line 23 is "Archer MSA deduction." That is only for up to 750,000 taxpayers. Compare that with what has been replaced, classroom teacher deduction, or 3.3 million teachers. And line 34, that used to be the deduction for tuition expenses. That now becomes jury duty pay you pay to your employer. How many people take a deduction because their employer pays them for jury duty?

My point is, very important provisions are no longer going to be in the law. They will not be available.

You might ask, gee, what happens if Congress passes these very important provisions—who knows when; it could be just before Thanksgiving; it could be December; it could be the first part of December—the IRS has will be mailing out the wrong forms. The forms are going to be wrong because presumably, hopefully, sometime in November or December we do what is right, we continue these provisions which means to say we do not raise taxes.

Let's not forget if we do not pass this we are raising taxes, first, on 3.3 million teachers; we are raising taxes on another 3.6 million people who file for tuition deduction. These people will find their taxes increased if we do not pass this provision.

Again, say we do pass the provisions later in the year, say, in November or December, and the wrong forms go out. Then what will happen? People will have the wrong forms. Then what will happen? Gee, the IRS, will have to figure out what to do about this. Maybe they will send out a postcard. Who do you send postcards to? They send postcards to people who filed paper returns the preceding year. A lot of people do not file paper returns. They are not going to get a postcard. They are not going to know. They are not going to

know that Congress corrected the mistake it made by passing these extensions.

What about people who file electronically? What about people who buy their software, their Turbo Tax software sometime around Thanksgiving or the first part of December, getting ready for Christmas, with Christmas presents. They are not going to know. They are going to buy the wrong software. The software is not going to have the right information on it.

You add it altogether, this Congress is being highly irresponsible by not continuing—we call them extenders. There are others: the sales tax deduction. What about the R&D tax credit? There are about 16,000 businesses that use the R&D tax credit. We have reports that many companies are going to have to restate their earnings—restate them—because they cannot calculate the research and development tax credit in their financials. They will have to restate them. No company wants to restate on the down side. No company wants to do that. Even big companies have to restate them—not just small companies but big companies. They too will not be able to take advantage of this.

So I just say it is highly irresponsible for this Congress not to extend these provisions. And when I make the request we take up the trailer bill and pass it, this is not a perfunctory request. This is not some crank turning. This is real.

I think, unfortunately, there are some people in the leadership on the other side of the aisle who think: Oh, this is just a mechanical exercise. This is not a mechanical exercise. It is certainly not mechanical to all those teachers, kids who paid tuition, who want their deduction, businesses that don't get the advantage of the R&D tax credit, people who want to deduct their sales taxes that are supposed to be deductible. We are not extending that either. We are only talking about two of the so-called extenders.

Our failure to act here is going to be very costly. The IRS has to go to great expense to print corrective returns, errata sheets. They have to file statements to taxpayers notifying them of changes. Taxpayers are going to wonder: What is going on here? Do you know what else is going to happen? A lot of taxpayers, teachers, are not going to know there has been a change made. They are going to get the wrong form. The form is not going to have it on it. There are a lot of people and kids and parents who are not going to know there has been a change. They are not going to know because it is not on the form.

Somebody might make an effort to try to tell people later on, but there is a real risk of a lot of taxpayers who are just not going to know they could take deductions, and they are not going to know because they have the wrong information. And they have the wrong information because the IRS has given

them the best information they could at the time, but Congress was derelict, Congress was not responsible, Congress did not do what it should do for the American people.

I am very concerned. And, frankly, I am very disappointed. I am saddened that this Congress is, in effect, playing games. I hope very much, and I ask, I plead with the other side, at least let's hold off just a little bit. Don't immediately object. Let's figure out a way to work this out.

We have a few hours here tonight. It is very simple. These are provisions everybody has agreed on. There is no disagreement. The only problem the other side of the aisle, the majority, has is when to do it. I indicated that the drop-dead date for the IRS is October 15, so now is the time to do it—not later. We cannot couple this with estate tax repeal. We cannot couple this with the minimum wage increases. We have tried that a couple, three times. It did not work.

The dye is cast. Senators have cast their votes. So let's get on with it. Let's get on with it. Let's put those issues behind us. We do not have to deal with minimum wage or estate tax tonight, but we do have to do the extenders tonight. This is very timely.

I very much hope that nobody objects right away. Maybe we could put this off for a few minutes, maybe a half an hour or something, and plead with those who are sane, who want to do this right, to just get this package of extenders passed. So I am going to ask consent, but maybe somebody could modify the consent to hold it off a little longer while we try to work out a way to get this passed.

Mr. President, we do not apparently have the consent request printed right in front of me right at this moment. But I am going to have it later tonight. That is probably better because that means maybe cooler heads will prevail and we can figure out a way to get this passed.

I see my good friend from Arizona is standing in the Chamber. I know he would like to get these provisions passed. I know he has other considerations too, but he would like to have this provision passed, and I think everybody on the floor would like to get these provisions passed. We can deal with these other issues, but we don't have to deal with them tonight. We cannot tonight. It is too late. But everybody has agreed to this package of extenders—everyone. The chairman of the Finance Committee has been desperately trying to get this passed. I hope later on tonight, when we ask consent, we get it.

I yield the floor.

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

Mrs. MURRAY. Mr. President, it is my understanding that under the current consent agreement, following me on this side is Senator HARKIN and Senator MENENDEZ, with Republicans in between.

I amend that consent and ask unanimous consent that following Senator MENENDEZ, Senator LANDRIEU be allowed to speak for 15 minutes, Senator SALAZAR for 15 minutes, Senator LAUTENBERG for 15 minutes, with Republicans in between, as per their request.

The PRESIDING OFFICER. Is there objection?

Mr. CHAMBLISS. Mr. President, reserving the right to object, would the Senator again give me that order? I missed it somehow. Let me see if I can insert myself in one of the Republican slots.

Mrs. MURRAY. Mr. President, following me is an empty Republican slot.

Mr. CHAMBLISS. Mr. President, if I could be inserted in there for up to 10 minutes, please.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I would like the same insertion, following the Senator from Georgia, in the appropriate order, for no more than 10 minutes.

The PRESIDING OFFICER. Does the Senator so modify her request?

Mrs. MURRAY. Mr. President, I modify the current request that following myself, Senator CORNYN be recognized for 10 minutes, Senator HARKIN for 10 minutes, Senator CRAIG for 10 minutes, Senator MENENDEZ for 10 minutes, a Republican Senator as designated for 10 minutes, Senator LANDRIEU for 15 minutes, a Republican Senator for 10 minutes, Senator SALAZAR for 15 minutes, a Republican Senator for 15 minutes, and Senator LAUTENBERG for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. CHAMBLISS. Mr. President, again reserving the right to object, I will tell Senator CORNYN you paid him a great compliment, but that it be Senator CHAMBLISS instead of Senator CORNYN.

Mrs. MURRAY. I apologize. It is Senator CHAMBLISS. And I apologize.

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

VETERANS HEALTHCARE

Mrs. MURRAY. Mr. President, I rise to discuss how we are doing in caring for America's veterans. With our country at war, with 1.5 million Americans who have served in the global war on terror, and with many of them coming home in need of care—it is a critical question.

Last week, we got a shocking report from the Government Accountability Office, which found that the VA has misled Congress about its failure to plan for our veterans.

Based on that report and other research, I came here to the Senate floor 2 days ago and shared my concerns with the full Senate. I said that the Bush administration has not been honest with us about its failures to plan for the needs of our veterans, and that we still have a lot of work to do to get

back on track. And I warned that—3½ years into this war—the Bush administration still does not have a plan to meet the needs of all the veterans who will be coming home.

In my speech on Tuesday, I said that Congress needs to provide real oversight of the Bush administration so that we can ensure our veterans get the care they have earned. For those who want to see my full remarks and all the evidence I cited, you can watch or read my speech on my Web site at <http://murray.senate.gov>.

This morning, the Senator from Idaho came here to the Senate floor and spoke with great passion about our veterans. The distinguished chairman of the Senate Veterans Affairs Committee took issue with some of the things I said in my remarks here on Tuesday.

I respect the Senator from Idaho. I appreciate his leadership of our committee, and I am pleased to provide more information before the full Senate. I want everyone to know that the Senator from Idaho and I have worked together on veterans issues.

I want to point out that when the VA finally admitted that it was facing a \$3 billion shortfall—the chairman was first to stand beside me and find the funding to fix the problem. And I thank him for that.

I am proud to say that the Senator from Idaho and I agree on many points. We both agree that the VA provides excellent healthcare. When I was in college during the Vietnam War, I interned at the VA hospital in Seattle. I saw firsthand how dedicated and talented VA employees are.

Today, that ethic of service and commitment to quality beats in the heart of every VA employee. I am proud of the progress we have made helping the VA become a model for effective, high quality healthcare.

The Senator from Idaho and I also both agree that we have increased VA funding. It has been an uphill battle—and the facts tell me that we are not prepared for the many veterans coming home—but we both agree that we have increased veterans funding. I might point out that we in Congress provided those increases in spite of years of inadequate budget requests from the White House.

We agree that the Senate Veterans' Affairs Committee works in a bipartisan fashion under the leadership of Senator CRAIG and Ranking Member AKAKA. As I have said many times on this floor—taking care of our veterans is not a Democratic issue or a Republican issue. It is an American issue, and we all need to be part of the solution.

And finally, I couldn't agree more with the Senator from Idaho that we should focus on the facts. Those facts should guide our budgets and our policy decisions. If the facts say everything is fine, that's great. But when the facts say there are problems, we need to hear those facts, and we need to respond based on the facts.