that is appropriate. I believe in reciprocity and good faith. I had a conversation the other day with the Republican leader. He didn't mention who was going to offer the amendment, but both of us thought there would be such an amendment offered.

I look forward to completing this legislation. We need to do it by Thursday. I hope we can work our way through this. If it is the CR amendment—and I have no other information other than staff told me walking in that that was going to be the case—I think that is an amendment that will take a little bit of time for us to discuss. There is not much to look at. It is probably one line long. I think I have made myself clear. This is an important piece of legislation for our country. It is an important piece of legislation for the Senate so we can get back to our regular appropriations process. We have done a good job of cutting, significantly, Government-directed spending. I have been on the record some time ago saying we have a constitutional obligation to make sure we are involved in how the country spends its money. We shouldn't leave how it is spent to bureaucrats in big offices here in Washington, made up of people who I don't think know my State as well as I do.

We should have a good, stout debate on a number of issues in the next few days and hopefully move on to other matters next week.

RECOGNITION OF THE MINORITY LEADER

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

AMENDMENT PROCESS

Mr. MCCONNELL. Mr. President, I listened carefully to the remarks of my friend the majority leader about the amendment process. I certainly commend him for the way in which we have operated this year. As he well knows, 41 Republicans signed a letter to him a couple months ago indicating this is an issue about which Republican Members, regardless of their particular political philosophy—and we do have lots of different philosophies represented in those 41 Members—felt very strongly about. I commend the majority leader for responding. I think it has given the Senate an opportunity to operate again such as it did in the past. I think Members are, by and large, on both sides of the aisle, comfortable with voting. People send us here to vote. My 41 Republicans represent half the American population, and they are certainly entitled to have their say. I think we are operating in a way that is widely accepted and popular on both sides of the aisle.

OMNIBUS APPROPRIATIONS

Mr. MCCONNELL. With regard to the bill before us, the Omnibus appropriations bill that arrived from the House certainly is an important piece of legislation, but it is not an emergency. Congress approves it every year. There is no need to rush something Congress approves every year. In fact, in January I recommended several times to the President and to the Democratic leaders in Congress that we move the omnibus before the stimulus. By determining what we would fund in an omnibus first, Democratic leaders would have been encouraged to be more timely, temporary, and targeted as they put together the stimulus. Instead, we have had the order reversed. The result is that now we have significant double spending showing up in both the stimulus and in the omnibus. We have known about the Friday deadline for months, so no one should suddenly point to it now as a reason to rush $410 billion in spending.

Americans are getting whiplash from all the spending we are doing around here. Let me say that again. Americans are getting whiplash from all the spending we are doing around here. We need to slow down and consider the consequences of every dollar we spend. What we know about this bill already is cause for serious concern. As I said, it adds money for 122 programs. It adds money for 122 programs that were already in the stimulus. It represents an 8-percent increase over last year's bill.

Much of the funding it adds or eliminates calls for scrutiny. The new administration has repeatedly criticized Congress for rushing through legislation before the public has a chance to review it. During his campaign, the President said he wouldn't sign any nonemergency spending bill the American people had not had at least 5 days to review on the White House Web site. There is no reason for us to rush this massive bill when the White House has already promised it would not sign it without the requisite 5-day review. I would suggest, as we begin this debate, that the House prepare a short-term continuing resolution. There is no reason for either the Senate or the American people to feel artificially rushed, particularly on a bill of this magnitude.

It may seem quaint to some people, but a month ago many of us were concerned about a $1.2 trillion deficit. Then we watched it grow, as we passed a $1 trillion stimulus bill and a $33 billion bill for SCHIP. Then last week the President proposed a $3.6 trillion budget, including a $634 billion ''downpayment'' on health care reform and a major tax increase on small businesses. We expect to be asked to spend $1 to $2 trillion to stabilize the financial sector, and we have been told the administration's housing plan, which is set to start this week, will cost a quarter of a trillion dollars.

We need to step back, look at the bigger picture, and think about what we are doing. That means slowing down before we spend another $410 billion.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, as I have indicated, the omnibus bill has been fully vetted by the various committees, Democrats and Republicans alike. As to the issue the Republican leader raised, that people need more time to review this, this has been on the Web site for well more than a week. People could look at it and have it memorized by now. We also know the issues the Republican leader raised, that President Obama is talking about health care. Does anyone think that we can not do anything dealing with health care? People have said: How much is it going to cost to try to take care of health care?

How much is it going to cost to do nothing about health care? Fifty million people have no health insurance and millions of others are uninsured. If they have a private physician, every time they get sick and hurt, they go right to the emergency room. The highest priced medical care rendered anyplace in the Nation is in these emergency rooms. It drives up taxes, the cost of a doctor, the cost of hospitalization and, of course, insurance premiums. So we have to do something with health care.

Energy? We are importing 70 percent of our oil. We have to do something about energy. Education? We are failing American children by not doing more for education. So these issues we are going to take up in the future should have nothing to do with getting this most important legislation passed.

We are looking forward to moving this matter as quickly as possible. It is something that is important for the country because we have a lot of issues we need to get to after we fund the Government—something we should have done last year but we could not because of the difficulty we had working with President Bush.

I think what Senator INOUYE and Senator COCHRAN have done is in keeping with the traditions of this body in meeting the needs of the American people. There is no wasteful spending in this most important piece of legislation. It is important to all 50 States. I am hopeful and confident we will pass this in the next few days.

RESERVATION OF LEADER TIME

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

OMNIBUS APPROPRIATIONS ACT, 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 1105, which the clerk will report by title.

The legislative clerk read as following:

A bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I rise today in support of H.R. 1105, the Omnibus Appropriations Act of 2009. This is a measure that should have been completed last year but was not because of the previous administration's unwillingness to negotiate in good faith. But today we have the opportunity to put partisanship behind us and to continue the task of rebuilding our economy, reinvesting in America and, frankly, making our Government work again.

I want to point out that today is March 2. We are now almost halfway through the fiscal year. Except for Defense, Veterans, and Homeland Security, our executive branch agencies are all still operating on a continuing resolution.

Under the continuing resolution, no new programs can begin. Funding levels are held to last year's level. This means that even things such as price increases due to inflation and the cost of civil servant pay raises must be absorbed within the existing agency funding levels.

Many worthy initiatives which were approved by the Appropriations Committee are being held at artificially low spending totals. And, as we all know, the continuing resolution will expire on Friday—this Friday.

It is not in the best interests of the taxpayer or the agencies we are funding to operate the Federal Government on autopilot. A yearlong continuing resolution does not allow a Federal agency any flexibility to address changing priorities. Passage of H.R. 1105 begins the process of returning our Departments and agencies to a more regular order. We simply must complete this bill this week—in fact, this Thursday.

The 2009 omnibus bill has strong support from both sides of the aisle, including the vice chairman of the Appropriations Committee, Senator THAD COCHRAN. Further, the distinguished minority leader was accurate with his comments in January that this bill has been fully vetted and is ready for immediate passage.

This measure is not, as some have suggested, duplicative of the spending provided by the recently enacted American Recovery and Reinvestment Act. This argument misses the point entirely. The purpose of the recovery package is to jump-start economic growth by making significant investments above the annual budget. The omnibus is the baseline budget.

But equally important to the funding contained in the bill is the fact that the omnibus bill will provide much needed guidance to executive branch agencies that have been operating without such guidance under the continuing resolution. In addition, there are a number of new initiatives across the Government that cannot be implemented without passage of this bill.

So it is my sincere hope this is the last omnibus bill we will see for some time to come, as it is my intention as chairman of the Appropriations Committee to pass each of our annual appropriations measures through the regular order. But having said that, it is clearly impossible for fiscal year 2009, and for all the reasons mentioned above, there is no doubt that this bill is far superior to yet another continuing resolution.

The $410 billion in spending contained in this measure will accomplish a number of objectives, including giving extra momentum to the American Recovery and Reinvestment Act, by funding additional projects and, therefore, saving thousands of additional jobs. In this time of economic crisis, nothing is more important than keeping America working.

I will offer a few examples of the kinds of initiatives that I included in this 2009 omnibus.

Energy security: There is perhaps no issue more critical to the future safety and prosperity of our Nation than energy security. This omnibus bill invests in America's security by prioritizing research and development of renewable energy and energy efficiency, including solar power, biofuels, vehicle technologies, energy-efficient buildings, and advanced energy research.

Law enforcement: In the absence of strong support for law enforcement, the current economic downturn threatens to increase violent crime throughout our Nation. As cash-strapped States struggle with tight budgets, this bill will help keep Americans safe by supporting the Community Oriented Policing Services or the COPS Program, and the Byrne Justice Assistance Grants, which help State and local law enforcement fight and prevent crime in communities across America.

Public health and safety: In the wake of disturbing incidents of compromised food safety that have jeopardized the health of our citizens, we have significantly increased investments for the Food and Drug Administration to strengthen the Food Safety and Inspection efforts. This bill will also protect the health and well-being of Americans by cleaning our air and our water. It contains investments significantly above the former administration's inadequate request for clean drinking water and wastewater, cleaning up hazardous waste and toxic sites, and for the implementation of the Clean Air Act.

Health care: Millions of Americans are struggling to gain access to quality affordable health care, particularly during these difficult economic times. This measure will give scores of Americans better access to health care through State access health grants and State high-risk insurance pools and by supporting community health centers and rural health facilities.

Education: As our economy struggles to regain its footing, millions of Americans are understandably fearful they will not be able to afford to pay for their children's college education. This measure provides $1.9 billion to support student financial aid programs, including Perkins loans and Federal supplemental educational opportunity grants.

Every day, thousands of Americans are losing their jobs—every day. Every day, State and local governments see increased demand and decreased resources. Every day, projects that could provide good jobs for working Americans are delayed or canceled due to an inability to properly fund them.

This Omnibus appropriations act will provide resources, guidance, and new initiatives at a time when they are desperately needed. I urge my colleagues to join me in supporting the passage of this measure.

Mr. President, I have two documents, one relating to reasons why this omnibus bill should be enacted and the other a copy of a press release made a few weeks ago. I ask unanimous consent that these two documents be printed in the RECORD.

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

25 REASONS WHY THE FY 2009 OMNIBUS SHOULD BE ENACTED

FUNDING IMPACTS ON EXISTING CRITICAL PROGRAMS

Safety of consumer goods and products

(1) Food and Medical Product Safety Inspections: H.R. 1105, the Omnibus Appropriations Act of 2009, would provide the Food and Drug Administration with an increase of nearly $325 million, of which $150 million is included in the current Continuing Resolution (CR). If H.R. 1105 is not enacted into law, the proposed increased funding level for the FDA would be reduced by $175 million. This reduction in funding would significantly decrease the number of food and medical product safety inspections, both domestic and overseas, that FDA could perform. [Division A—AGRICULTURE]

(2) Consumer Product Safety: H.R. 1105 would provide the Consumer Product Safety Commission (CPSC) with an increase of $25.4 million, or 32 percent, above the FY 2008 enacted level. Without this funding increase, the CPSC would not be able to implement many of the reforms and new directives contained in the newly-enacted Consumer Product Safety Improvement Act of 2008 to make children's products safer, such as the consumer complaint database, an overseas presence, and increased Inspector General staffing, and CPSC staffing generally. [Division D—FINANCIAL SERVICES]

Keeping families in their homes

(3) Families Will Lose Housing: H.R. 1105 includes over $15 billion for the renewal of Section 8 Tenant-Based vouchers. This program provides housing for eligible families that cannot afford housing. As the economy has worsened, an increasing number of families are in need of affordable housing options. The FY 2009 Omnibus Appropriations bill would provide an increase of $340 million over the FY 2008 enacted level. If H.R. 1105 is not enacted into law, nearly 45,000 families could lose their housing from the Section 8 tenant-based account being flat-funded. [Division I—TRANSPORTATION/HUD]

(4) The Federal Housing Administration (FHA) will have to stop helping families facing foreclosure to refinance into affordable mortgages: The FY 2009 Omnibus appropriations bill would increase the volume cap for

FHA loan guarantees to $315 billion, from the FY 2008 enacted level of $185 billion. In the absence of this increase, FHA's increasingly central role in addressing the foreclosure crisis will cause it to reach the lower cap before the close of the current fiscal year. At that point, new homebuyers, and distressed current homeowners needing to refinance, will be unable to access safe, affordable FHA-guaranteed home mortgages. [Division I—TRANSPORTATION/HUD]

(5) Single-Family Guaranteed Housing Loans: The CR provides for a level of $5.2 billion for Section 502 guaranteed rural housing loans. H.R. 1105 would provide for a level of $6.2 billion. Demand for this program is rising at a substantial rate. Given the role of housing markets in the current economic downturn, increased funding for these housing loans will help ease the credit shortfall by allowing current borrowers to refinance existing Rural Housing Service (RHS) loans, and to refinance non-RHS loans if the borrower would now be eligible for an RHS direct loan. The additional $1.0 billion in guaranteed rural housing loans also would increase the availability of funding for potential borrowers seeking home ownership, thereby removing existing vacant housing from the market which will in turn help to stabilize the overall housing market. [Division A—AGRICULTURE]

Fighting crime

(6) Federal Law Enforcement Efforts through the Department of Justice (DOJ): H.R. 1105 would increase funding to the Department of Justice by $2.7 billion above the enacted level. If the FY 2009 Omnibus is not enacted, $550 million less would be provided for the FBI to protect our Nation and our communities from terrorism and violent crime. The FBI would have to institute an immediate hiring freeze of agents, analysts, and support staff. This will mean 650 fewer FBI special agents, and 1,250 fewer intelligence analysts and other professionals fighting crime and terrorism on U.S. soil. In terms of the Drug Enforcement Administration (DEA), failure to pass the FY 2009 Omnibus would result in $52 million less for the DEA to target and stem the flow of illegal narcotics seeping into our Nation and our communities. The DEA would have to institute an immediate hiring freeze of agents, as well as a 13 day furlough of all agents. As a result, DEA will carry out 90 fewer raids against drug production and trafficking organizations. [Division B—COMMERCE, JUSTICE, SCIENCE]

(7) Anti-terrorist Enforcement Programs at the Department of Treasury: Funding of $153.3 million, an $11 million increase above the FY 2008 enacted level, for the Office of Terrorism and Financial Intelligence and the Financial Crimes Enforcement Network will make key enhancements to tracking, detection and prevention of terrorist financing, enforcement of economic sanctions against terrorist networks, and coordination of enforcement with other countries. [Division D—FINANCIAL SERVICES]

Protecting the public

(8) U.S. Attorneys: H.R. 1105 would provide an additional $76.5 million for our U.S. Attorneys. If the FY 2009 Omnibus is not enacted into law, the lack of increased funding would require layoffs of 850 positions, including 451 attorneys, or furloughing all U.S. Attorney staff for 16 days. Either option would result in U.S. Attorneys cutting prosecution caseload by 11,275 cases. U.S. Attorneys are the Nation's prosecutors responsible for prosecuting violent gun, drug and gang crimes, child exploitation, public corruption, money laundering and terrorism cases before U.S federal courts. [Division B—COMMERCE, JUSTICE, SCIENCE]

(9) Security Requirements for Protecting the President and Vice President: The FY 2009 Omnibus bill would provide an additional $100 million in urgently needed funding for the U.S. Secret Service to meet the increased security requirements for President Obama and Vice President Biden. Funding is provided for additional agents, intelligence personnel, associated training, and for improved White House and Secret Service communications. [Division J—FURTHER PROVISIONS]

(10) Enforcement of Securities Laws: Inadequate resources for the Securities and Exchange Commission would hamper their ability to undertake vigorous enforcement of securities laws to help bolster the integrity of the financial markets, just when such enforcement is needed most. [Division D—FINANCIAL SERVICES]

(11) Worldwide Security Protection: H.R. 1105 would provide $1.12 billion for the Department of State's (DOS) Worldwide Security Protection for non-capital security upgrades, an increase of $355 million above the FY 2008 enacted level. This account funds all the Diplomatic Security agents at every post world-wide, armored vehicles, and training. If H.R. 1105 is not enacted into law, DOS would be unable to hire additional personnel to increase protection at high-threat embassies overseas or to add oversight of security contractors in Iraq, Afghanistan and Israel-West Bank. [Division H—STATE]

(12) Nuclear Nonproliferation Programs: H.R. 1105 would increase funding for the National Nuclear Security Administration's nuclear nonproliferation programs by $146 million over FY 2008. This increased funding is critical to the United States' efforts to secure weapons grade nuclear material around the world that could be used by terrorists. [Division C—ENERGY]

Environmental and natural resources

(13) Fixed costs associated with programs of the Department of Interior (DOI) and the Environmental Protection Agency (EPA): H.R. 1105 would provide an additional $1.0 billion in funding for the programs included under the Interior title of the Omnibus appropriations bill. Of that amount, 68 percent is attributable to fixed and other inflationary costs. If H.R. 1105 is not enacted into law, DOI, EPA, the Forest Service and the Indian Health Service would be required to cut current services further to absorb those fixed costs. [Division E—INTERIOR]

(14) Weather and Climate Satellites: H.R. 1105 would provide an increase in $309 million in funding for the National Oceanic and Atmospheric Administration's (NOAA) weather and climate satellites. Without this increase in funding, there will be $235 million less in funding for the next generation of weather satellites to provide warnings and protect communities from severe weather. The procurement for these critical new satellites would have to be paused in 2009, delaying construction of the new satellites and resulting in severe gaps in forecasting coverage in future years. This means that communities would not get accurate weather reporting, and would not be warned of incoming natural disasters. Further, there would be $74 million less in funding for satellite climate sensors. There will be no funding under a full-year CR to restore critical climate modeling equipment that was removed by the previous Administration from the next generation polar orbiting satellites. These sensors will help us better understand and predict changes in the Earth's climate. [Division B—COMMERCE, JUSTICE, SCIENCE]

(15) Diesel Emission Reduction Act Grants: The FY 2009 Omnibus would provide $60 million for the national Diesel Emission Reduction Act grant program, a 22 percent increase over the FY 2008 enacted level of $49 million. These grants are used to replace or retrofit aging diesel engines, particularly for heavy trucks and school buses, reducing air pollution and improving public health. [Division E—INTERIOR]

(16) Hazardous Fuels: The FY 2009 omnibus would provide $531 million for the Forest Service and Department of the Interior to fund hazardous fuels reduction projects, an increase of $21 million over the FY 2008 enacted level of $510 million for both agencies. These funds are used for forest thinning projects on Federal lands that reduce the frequency and severity of catastrophic wildfires, protecting public safety and natural resources. These funds will also help reduce the skyrocketing cost of fighting wildfires; last year, the Federal government alone spent nearly $2 billion fighting wildfires. [Division E—INTERIOR]

Health

(17) Influenza Pandemic: H.R. 1105 would provide approximately $500 million to prepare for and respond to an influenza pandemic. Funds are available for the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools. [Division F—LABOR/HHS]

(18) Global Health and Child Survival (GHCS): H.R. 1105 would provide $7.114 billion for Global Health and Child Survival, an increase of $737 million above the FY 2008 enacted level. Without the additional resources proposed in the FY 2009 Omnibus, USAID would not be able to expand the malaria programs in Africa where a million people, mostly children, die from malaria annually. In addition, without the Omnibus bill, funding for family planning services would be reduced by $63 million, limiting access for poor women. Further, funding for life-saving immunization programs would be reduced by $48 million, resulting in higher maternal and infant mortality for entirely preventable illnesses. [Division H—STATE]

(19) HIV/AIDS: The FY 2009 Omnibus would provide a total of $5.509 billion for programs to combat HIV/AIDS, $459 million above the FY 2008 level. Without the additional funding in FY 2009, the United States will not be on target to meet the goals set in the PEPFAR Reauthorization Act to increase treatment to 3 million people (up from 2 million people currently served), 12 million infections prevented (up from 10 million) and care for 12 million (up from 10 million), including 5 million Orphans/Vulnerable Children (up from 4 million). [Division H—STATE]

Science and research and education

(20) America Competes Act—Department of Energy's (DOE) Office of Science: H.R. 1105 would provide an increase of $754 million above the FY 2008 enacted level for DOE's Office of Science. The funding level provided in the FY 2009 Omnibus is in response to passage of the America Competes Act, and the expressed goal of doubling the U.S. investment in science over 10 years. Without this funding increase, Congress would fail to advance the bipartisan vision of the America Competes Act. [Division C—ENERGY].

(21) America Competes Act—the National Institute of Standards and Technology (NIST) and the National Science Foundation (NSF): H.R. 1105 would provide an increase of $426 million in funding for activities authorized by the America Competes Act, of which $63 million in funding would be for NIST and $363 million in funding would be for NSF. Without the funding increase for NIST, the United States' ability both to keep up with advancements in industry technology and to compete in the global economy are hampered. Without the funding increase for NSF, fewer research grants will be awarded, engaging a smaller workforce of scientists,

technicians, engineers, and mathematicians. [Division B—COMMERCE, JUSTICE, SCIENCE]

(22) Development of the next U.S. Human Space Transportation Vehicle: H.R. 1105 would provide an additional $650 million above the level of funding provided by the CR for the National Aeronautics and Space Administration's (NASA) Constellation program, which is the development of the next U.S. human space transportation vehicle (called Orion and Ares). Without this increase in funding, NASA will be required to cut over 4,000 jobs in 2009. Layoff notices for employees in Florida, Texas, Mississippi, Alabama, Utah, and Louisiana will be mailed in March, and layoffs will begin in May. In addition, the lack of increased funding will have long term impact on the actual development of Orion and Ares which will be delayed by over 6 months, exacerbating the 5-year gap in time during which the United States will not have its own vehicle to access space after the Space Shuttle is retired. [Division B—COMMERCE, JUSTICE, SCIENCE]

Infrastructure and workforce investments

(23) Endangering Continuation of Amtrak Route and Wage Agreement: A full year CR would hold Amtrak operating assistance at $475 million instead of the $550 million provided in the FY 2009 Omnibus. This funding reduction could endanger the continuation of all existing Amtrak routes and would eliminate funding for the labor settlement payment owed to all Amtrak wage employees under their collective bargaining agreement. [Division I—TRANSPORTATION/HUD]

(24) Worsening the Shortage of Fully Trained Air Traffic Controllers: The Federal Aviation Administration (FAA) faces a crisis in maintaining an adequate workforce of trained air traffic controllers. Without the increases provided in the FY 2009 omnibus, the FAA would be forced to freeze or reduce the number of new air traffic controllers the agency can bring on board and train—worsening the experience shortage we already have in our air traffic control towers. [Division I—TRANSPORTATION/HUD]

(25) Committee funding for U.S. Senate: At the beginning of the 111th Congress, Democratic Leadership committed to holding the minority harmless at the FY 2008 funding level, and using that funding level as the FY 2009 baseline for funding a 60/40 Democratic/Republican split. This agreement would prevent significant reductions in force throughout the Republican Committee structure. The FY 2009 bill provides an additional $8.4 million in committee funding. Without this funding increase, minority staffing levels will need to be reduced. [Division G—LEGISLATIVE BRANCH]

HOUSE AND SENATE APPROPRIATIONS COMMITTEES ANNOUNCE ADDITIONAL REFORMS IN COMMITTEE EARMARK POLICY

INITIATIVES BUILD ON UNPRECEDENTED TRANSPARENCY INSTITUTED IN THE 110TH CONGRESS

(For Immediate Release, Tuesday, Jan. 6, 2009)

WASHINGTON.—Today, Rep. Dave Obey (D–WI), Chairman of the House Appropriations Committee, and Sen. Daniel K. Inouye (D–HI), incoming Chairman of the Senate Appropriations Committee, announced three significant changes to further increase transparency and reduce funding levels for earmarks, building on reforms brought about in the last Congress.

Previously implemented reforms:

2007 Moratorium: In January of 2007, Democrats imposed a one-year moratorium on earmarks for 2007 until a reformed process could be put in place.

Rules for Transparency: Under the 2007 rules, each bill must be accompanied by a list identifying each earmark that it includes and which member requested it. Those lists are available online before the bill is ever voted on. In the House, each earmark on those lists is backed up by a public letter from the requesting member identifying the earmark, the entity that will receive the funds and their address, what the earmark does, and a certification that neither the requesting member nor their spouse will benefit from it financially. In the Senate, each Senator is required to send the committee a letter providing the name and location of the intended recipient, the purpose of earmark, and a letter certifying that neither the Senator nor the Senator's immediate family has a financial interest in the item requested. The certification is available on the internet at least 48 hours prior to a floor vote on the bill.

Significant Reductions: In the 2008 bills, the total dollar amount earmarked or non-project-based accounts in appropriations bills was reduced by 43%.

Other Measures: Earmarks produced by conference committees, not in the original House or Senate bills, are clearly identified with an asterisk. Members are able to offer floor amendments on earmarks under the rules of the House and Senate.

In our continuing effort to provide unprecedented transparency to the process, new reforms to begin with the 2010 bills include:

Posting Requests Online: To offer more opportunity for public scrutiny of member requests, members will be required to post information on their earmark requests on their Web sites at the time the request is made explaining the purpose of the earmark and why it is a valuable use of taxpayer funds.

Early Public Disclosure: To increase public scrutiny of committee decisions, earmark disclosure tables will be made publically available the same day as the House or Senate Subcommittee rather than Full Committee reports their bill or 24 hours before Full Committee consideration of appropriations legislation that has not been marked up by a Senate Subcommittee.

Further Cuts: Earmarks will be further reduced to 50% of the 2006 level for non-project-based accounts. In FY 2008, earmark funding levels were reduced by 43% below the 2006 level. Earmarks will be held below 1% of discretionary spending in subsequent years.

''Today we build on the unprecedented reforms made to earmarks since Democrats took control of the Congress in 2007,'' said Obey and Inouye. ''These reforms mean that earmarks will be funded at a level half as high as they were in 2006, face greater public scrutiny, and members of Congress will have more time and access to more information before they vote on bills and as they prepare amendments.''

Mr. INOUYE. Mr. President, I ask unanimous consent that I may yield to the vice chairman of this committee with the understanding that I will hold the floor.

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

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to join my friend, the distinguished Senator from Hawaii, in presenting the 2009 Omnibus Appropriations Act to the Senate. This bill contains the nine regular appropriations bills that have not been enacted and accounts for nearly half of all regular discretionary spending for the 2009 fiscal year.

I am supporting the approval of this bill by the Senate even though the process that has brought us to this point has left a lot to be desired.

I also share with those on my side of the aisle the concerns about the level of discretionary spending contained in this bill, which is $20 billion over President Bush's request.

I voted against the budget resolution that established the discretionary spending allocations for this bill, and I voted in favor of Senator GREGG's motion to instruct the conferees on the budget resolution to lower the discretionary caps to more modest levels. That motion was defeated by one vote, and the conference report on the budget resolution was adopted.

I commend my distinguished friend from Hawaii for resisting pressures to add controversial new policy matter to this bill. This is new legislation as opposed to a conference report, and as such any number of policy riders could have been included in the bill. A few provisions, such as language dealing with the Endangered Species Act, were included, but, largely, the bill stays within the legislation represented by the House and Senate bills.

Of the nine bills in this omnibus measure, none were ever considered on the floors of the House or the Senate. Two of the bills were never marked up in the Senate committee, and six of the bills were not marked up in the House committee. But I can assure the Senate that the content of the legislation before us is consistent with the parameters established by the individual House and Senate bills, even though some of those bills were never presented formally to either body.

Previous omnibus bills have been comprised of individual bills reported by the House and the Senate committees, and generally of bills that were passed by at least one of the legislative bodies. The bill before us today is a new kind of legislative document which I hope we will not see replicated in the future.

Last year, the bicameral leadership made a conscious decision not to engage President Bush on spending issues and to avoid taking votes on extending the ban on Outer Continental Shelf oil and gas leasing. Perhaps that decision had some political benefits for some Members, but procedurally and substantively, it had detrimental impacts.

First of all, the moratorium on Outer Continental Shelf oil and gas leasing has been removed from the Interior appropriations bill. Second, for the last 6 months, most Federal agencies have been compelled to operate at funding levels very similar to those they would have received had we simply enacted the individual bills in a form that President Bush would have signed.

Today, we could be discussing the merits of supplemental appropriations if they had been needed rather than starting from scratch halfway through the fiscal year. Had we enacted the appropriations bills last fall, agencies

would have been carrying out their responsibilities with approved levels of funding.

Funding for buildings, roads, trails, and water projects would have provided jobs and would have been obligated by now. To the extent those activities might have helped stimulate the economy, they would have been very beneficial. Instead, due to inaction by Congress, agencies have been in a holding pattern for nearly half of the fiscal year under the terms of the continuing resolution.

Two weeks ago, Congress sent to the President a huge stimulus bill. It contains some $311 billion in appropriations for a variety of programs. We had a vigorous debate about the bill in the Senate, and it passed with the minimum number of votes required. I voted against the stimulus bill in part because the bill included large amounts of funding for programs that are not immediately stimulative such as health information technology and broadband deployment. These would have been more appropriately considered in the context of a Presidential budget and at the more measured pace of the annual appropriations process. We will be living with the impacts of these decisions made in the stimulus bill—all made in great haste—for years to come. It is fair to ask to what degree does the omnibus bill duplicate the stimulus bill.

There is no question that the order in which we are considering the stimulus and the omnibus is exactly backward. We should have used the stimulus bill to supplement regular appropriations, not the other way around.

There are a number of accounts and programs funded in this omnibus bill that are also funded in the stimulus bill. In most cases the omnibus funds those programs at or near prior year levels, and one can argue the stimulus funding for those programs was a deliberate supplement. In other cases, the omnibus funds the same accounts contained in the stimulus but for different purposes. There are a few programs in the omnibus that, quite frankly, should have been scaled back based on the contents of the stimulus bill. So despite the unconventional and unfortunate process by which this bill was produced, it does represent a product that was fairly negotiated.

Some would like us to enact a continuing resolution for the remainder of the year that holds programs to their fiscal year 2008 funding levels, thereby saving billions of dollars. But knowing the impact that a full-year continuing resolution would have on individual programs, I don't think the majority would propose such a measure, and I don't think the President would sign it either.

Another possible outcome would be a modified continuing resolution similar to that enacted for fiscal year 2007—something that would eliminate all manner of congressional directives and oversight mechanisms but spend no less money than we are currently considering. Surely there are other possible outcomes. But, in my view, continued uncertainty in the day-to-day operations of the Federal Government at a time of national crisis is not worth the marginal and highly speculative gains that might come from defeating this bill.

We now have received a preliminary budget from the new President. In a few weeks, we will be considering the budget resolution for fiscal year 2010, and we will be debating such things as appropriate discretionary spending levels. I look forward to a debate on that as there is much in the President's budget request worth debating.

But it is time to put the fiscal year 2009 budget to rest. I am committed to do everything in my power not to repeat the dismal process that has brought us to this juncture, and I know the chairman of the committee, the distinguished Senator from Hawaii, shares that commitment. Neither of us wants to deny Senators the opportunity to help shape appropriations bills in the early parts of the process through amendment and discussion of alternatives. Neither of us wants to hide anything from the scrutiny of the legislative process, and neither of us wants Members to have to pass judgment on nine appropriations bills all at once rather than individually.

I thank the distinguished Senator from Hawaii for the job he has done as chairman of the Appropriations Committee. He is leading the committee through a trying time, but he is doing it in the very best sense of bipartisanship and establishing working relationships that will serve the interests of not only the Senate but of the American people. These are relationships our committee can contribute to in the future, and I know they will under his leadership. I look forward to continuing to work with him to achieve timely and open consideration of other appropriations bills.

I thank the distinguished Senator for yielding to me.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUYE. I thank my distinguished vice chairman for his remarks.

Mr. President, I submit pursuant to Senate rules a report, and I ask unanimous consent that it be printed in the RECORD.

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

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

I certify that the information required by rule XLIV of the Standing Rules of the Senate related to congressionally directed spending items has been identified in the explanatory statement offered by the Chairman of the Committee on Appropriations of the House of Representatives which accompanies the bill H.R. 1105 and that the required information has been available on a publicly accessible congressional website at least 48 hours before a vote on the pending bill. Additional information is provided below to augment or correct the explanatory statement.

CONGRESSIONALLY DIRECTED SPENDING ITEMS

Account	Project	Funding	Member
SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES			
Animal, Plant, Health Inspection Service	State of Delaware's Department of Agriculture, Dover, Delaware, for a full-service, fully functional, modern animal health diagnostic laboratory	$69,000	Kaufman
Special Research Grants	University of Delaware, Newark, Delaware, to upgrade Delmarva's avian flu diagnostic and biocontainment facilities to combine Delaware and Maryland's laboratory information management system.	$94,000	Kaufman
Special Research Grants	University of Delaware, Newark, Delaware, to continue the work of the Institute for Soil and Environmental Quality (ISEQ) by supporting programs and acquiring equipment that is essential for Critical Zone research.	$70,000	Kaufman
Special Research Grants	National Beef Cattle Genetic Evaluation Consortium, (of which Cornell University is a part), to analyze beef records of seedstock cattle throughout the country.	$655,000	Gillibrand
Special Research Grants	Agribusiness research through the Viticulture Consortium, Cornell University and University of California	$1,454,000	Gillibrand
Special Research Grants	Apple fire blight, Cornell University/New York State Agricultural Experiment Station, University of Michigan	$346,000	Gillibrand
Special Research Grants	Virginia Tech Research Grant—Biodesign and Processing	$868,000	Warner
Research Education/Federal Admin.	High Value Horticulture and Forestry Crops (VA)	$502,000	Warner
Special Research Grants	Aquaculture	$139,000	Warner
Special Research Grants	Fish and Shellfish Technologies (Virginia)	$331,000	Warner
Special Research Grants	Sustainable Engineered Materials from Renewable Resources—Virginia Tech University	$485,000	Warner
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES			
Procurement, Acquisition and Construction/National Oceanic and Atmospheric Administration	University of Delaware, Newark, Delaware, for a real-time satellite receiving station	$750,000	Kaufman
COPS Technology/Department of Justice	City of Newark Police Department, Newark, Delaware, for video surveillance cameras in downtown area	$115,420	Kaufman
COPS Technology/Department of Justice	Delaware State University, Dover, Delaware, to continue work on the Crime Scene and Evidence Tracking Project which develops and tests day-to-day law enforcement and public safety application.	$2,000,000	Kaufman
COPS Technology/Department of Justice	Delaware State Police, Dover, Delaware, to perform preliminary engineering assessments before message switcher upgrades	$100,000	Kaufman
COPS Technology/Department of Justice	Delaware State Police, Dover, Delaware, for the purchase and installation of in-car cameras and related equipment	$500,000	Kaufman
COPS Technology/Department of Justice	Delaware State Police, Dover, Delaware, for the purchase of a mobile gunshot locator system	$250,000	Kaufman
COPS Technology/Department of Justice	New Castle County Police Department, New Castle, Delaware, for a program to increase the efficiency and effectiveness of license plate scanning technology.	$200,000	Kaufman
Juvenile Justice/Department of Justice	Jobs for Delaware Graduates, Inc., Dover, Delaware, to expand services delivered to at-risk middle and high school students	$1,353,000	Kaufman
Juvenile Justice/Department of Justice	University of Delaware, Newark, Delaware, for the Center for Drug and Alcohol Studies, to continue a statewide survey of youth that provides estimates and trends in student substance abuse, crime, and gambling.	$65,000	Kaufman
National Institute of Standards and Technology	Nanoscale fabrication and measurement project at the University at Albany (SUNY), College of Nanoscale Science and Engineering (CNSE)	$1,000,000	Gillibrand
Byrne Discretionary Grants/Department of Justice	Real Estate Fraud Unit in the Kings County District Attorney's Office for the investigation and prosecution of deed theft, mortgage fraud, and related real estate-based crimes, Kings County, New York.	$875,000	Gillibrand
COPS Methamphetamine/Department of Justice	City of Rochester, Rochester, New York, to intensify patrols, improve the tracking of narcotics shipments, provide technical support and enhance local crime prevention programs for at-risk youth.	$675,000	Gillibrand
National Aeronautics and Space Administration	Binghamton University to develop a focused research and development initiative on large area flexible solar cell modules, Binghamton, New York	$500,000	Gillibrand
Byrne Discretionary Grants/Department of Justice	Information-sharing database to analyze gang related crime in the Oneida County District Attorney's Office, Utica, New York	$215,000	Gillibrand
COPS Technology/Department of Justice	Countywide interoperable public safety communications system, Rockland and Westchester Counties, New York	$1,670,000	Gillibrand
COPS Technology/Department of Justice	City of Yonkers Police Department to reduce non-emergency 3–1–1 calls through the creation of a new public hotline	$400,000	Gillibrand
Byrne Discretionary Grants/Department of Justice	Oliver Hill Courts Building security upgrades	$400,000	Warner
Juvenile Justice/Department of Justice	City of Chesapeake gang deterrence program	$100,000	Warner
Operations, Research and Facilities/National Oceanic and Atmospheric Administration	Assistance to MD/VA watermen affected by Blue Crab harvest restrictions	$10,000,000	Warner
Byrne Discretionary Grants/Department of Justice	Northern Virginia Gang Task Force	$2,500,000	Warner
Byrne Discretionary Grants/Department of Justice	Northwest Virginia Regional Drug Task Force	$750,000	Warner
COPS Technology/Department of Justice	City of Radford Police Force relocation	$250,000	Warner
COPS Technology/Department of Justice	Virginia State Police SWVA Drug Task Force	$250,000	Warner
Juvenile Justice/Department of Justice	An Achievable Dream Newport News	$700,000	Warner
Science/National Aeronautics and Space Administration	NASA Wallops Island Flight Facility—Launch Pad Improvements	$14,000,000	Warner
Space/National Aeronautics and Space Administration	NASA Wallops Island Flight Facility—Small Satellites and unmanned aerial systems	$5,000,000	Warner
Operations, Research and Facilities/National Oceanic and Atmospheric Administration	Oyster Restoration in Chesapeake Bay	$2,000,000	Warner
Operations, Research and Facilities/National Oceanic and Atmospheric Administration	VIMS—Virginia Trawl Survey	$150,000	Warner
Cross Agency Support/National Aeronautics and Space Administration	Accomack and Northhampton Counties—Broadband deployment (Eastern Shore)	$2,000,000	Warner
Operations, Research and Facilities/National Oceanic and Atmospheric Administration	Virginia Institute of Maine Science, Virginia Trawl Survey, Gloucester, VA	$150,000	John Warner, Webb
Byrne Discretionary Grants/Department of Justice	City of Vancouver, new records management system, Vancouver, WA	$500,000	Murray only
Byrne Discretionary Grants/Department of Justice	National Council of Juvenile and Family Court Judges, Child Abuse Training Programs for Judicial Personnel: Victims Act Model Courts Project, Reno, Nevada.	$920,000	Reid, Ensign, Reed, Schumer, Sessions, Smith, Voinovich, Whitehouse, Wyden, Bennett, Biden, Hatch, Kennedy, Kerry, Landrieu, Lautenberg, Leahy
Byrne Discretionary Grants/Department of Justice	National Crime Prevention Council, Arlington, Virginia	$500,000	Kohl, Leahy, Reed, Crapo, Whitehouse only
Byrne Discretionary Grants/Department of Justice	Safe Streets Campaign, Pierce County Regional Gang Prevention Initiative, Tacoma, Washington	$1,000,000	Murray
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT			
Investigations	Army Corps of Engineers Wave Data Study Coastal Field Data Collection Project, Delaware, for the collection and analysis of coastal weather and sea condition data.	$500,000	Kaufman
Investigations	Army Corps of Engineers Christina River Watershed Feasibility Study, New Castle County, Delaware, to continue investigations for flood damage reduction, ecosystem restoration, water quality control, and other related purposes.	$287,000	Kaufman
Investigations	Army Corps of Engineers White Clay Creek Flood Plain Management Services study, New Castly, Delaware, to continue a study to evaluate flooding and flooding damage as a result of tropical storms.	$200,000	Kaufman
Operation and Maintenance	Army Corps of Engineers Harbor of Refuge project, Lewes, Delaware, to perform stability analysis, condition surveys, and repairs	$235,000	Kaufman
Operation and Maintenance	Army Corps of Engineers Indian River Inlet and Bay project, Sussex County, Delaware, to survey and analyze scour holes	$235,000	Kaufman
Operation and Maintenance	Army Corps of Engineers Intracoastal Waterway project, Delaware River to Chesapeake Bay in New Castle County, Delaware, for maintenance and dredging (Multi-State; Delaware request was $5,150,000).	$13,710,000	Kaufman
Operation and Maintenance	Army Corps of Engineers Mispillon River Project, Kent and Sussex Counties, Delaware, for maintenance dredging and field inspections	$249,000	Kaufman
Operation and Maintenance	Army Corps of Engineers Wilmington Harbor project, Wilmington Harbor to Newport, Delaware, for aggressive management and capacity restoration of federal disposal areas and chemical sediment testing.	$3,479,000	Kaufman
Department of Energy—Energy Efficiency and Renewable Energy	Delaware State University, Dover, Delaware, for the Center for Hydrogen Storage Research for research and development of a hydrogen storage system.	$1,427,250	Kaufman
Department of Energy—Energy Efficiency and Renewable Energy	University of Delaware Lewes Campus, Lewes, Delaware, for a wind turbine model and pilot project for alternative energy	$1,427,250	Kaufman
Expenses	Delaware River Basin Commission, (headquartered in) West Trenton, New Jersey, for water quality, monitoring and assessment, habitat restoration, drought coordination, public sewer water supply protection, and integrated water resource planning.	$715,000	Kaufman
Investigations	Army Corps of Engineers to manage the Upper Delaware River Watershed, New York	$96,000	Gillibrand

CONGRESSIONALLY DIRECTED SPENDING ITEMS—Continued

Account	Project	Funding	Member
Construction	Fire Island Inlet to Montauk Point for the New York Hurricane Protection and Storm Damage Reduction Project	$2,010,000	Gillibrand
Department of Energy—Energy Efficiency and Renewable Energy	Landfill Gas Utilization Plant Count of Chautauqua at the county landfill in Ellery, New York	$1,903,000	Gillibrand
Department of Energy—Office of Science	For work to be done in Otsego, New York, on supercapacitors at Sandia National Laboratories	$1,500,000	Gillibrand
Investigations	Army Corps of Engineers' Forge River Watershed Project, Long Island, New York	$119,000	Gillibrand
Operation and Maintenance	Appomattox River	$527,000	Warner
Construction	Combined Sewer Overflow Lynchburg	$287,000	Warner
Construction	Combined Sewer Overflow Richmond	$287,000	Warner
Construction	James River Deepwater Turning Basin	$766,000	Warner
Investigations	Upper Rappahannock River (Phase II)	$96,000	Warner
Investigations	AIWW—Bridge Replacement at Deep Creek	$478,000	Warner
Investigations	Chowan River Basin, Virginia	$96,000	Warner
Investigations	Dismal Swamp and Dismal Canal	$59,000	Warner
Operation and Maintenance	Norfolk Harbor and Channels	$9,808,000	Warner
Construction	Norfolk Harbor and Channels—Deepening	$478,000	Warner
Operation and Maintenance	Rudee Inlet	$344,000	Warner
Investigations	Vicinity of Willoughby Spit, Norfolk VA	$287,000	Warner
Construction	Virginia Beach Hurricane Protection	$1,340,000	Warner
Investigations	Belle View/New Alexandria Flood Plain Management Services Program Studies	$200,000	Warner
Investigations	Four Mile Run Restoration	$239,000	Warner
Construction	Roanoke River (Upper Basin)	$1,029,000	Warner
Department of Energy—Fossil Energy Research and Development	Center for Advanced Separation Technologies	$2,854,500	Warner
Investigations	Clinch River Watershed	$96,000	Warner
Construction	Grundy Flood Control Project	$8,000,000	Warner
Investigations	New River, Claytor Lake	$96,000	Warner
Construction	Chesapeake Bay Oyster Recovery	$2,000,000	Warner
Construction	Non-Native Oyster EIS	$328,000	Warner
Construction	Tangier Island, Accomack County		Warner
Construction	Village of Oyster Northampton County VA		Warner
SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL GOVERNMENT			
Small Business Administration, Salaries and Expenses	New Castle County Chamber of Commerce for an Emerging Enterprise Center, business incubator	$499,000	Kaufman
Small Business Administration, Salaries and Expenses	Virginia's Center for Innovative Technology, Mine safety technology and communication improvements, Herndon, VA	$237,500	Warner
SUBCOMMITTEE ON DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES			
Environmental Protection Agency, State and Tribal Assistance Grants Program	City of Wilmington, Delaware, for the Wilmington Wastewater Treatement Plant Headworks Upgrade	$300,000	Kaufman
Environmental Protection Agency, State and Tribal Assistance Grants Program	Government of New Castle County, New Castle Delaware, for Old Shellpot Interceptor upgrades	$698,000	Kaufman
Forest Service, State and Private Forestry (Forest Legacy Program)	Delaware Department of Agriculture—Forest Service, Camden, Delaware, for the purchase of forestland to be added to Redden State Forest	$2,000,000	Kaufman
Environmental Protection Agency, State and Tribal Assistance Grants Program	Town of Onancock Wastewater Treatment Plant	$500,000	Warner
Forest Service, Land Acquisition	Appalachian Trail Right of Way and Greenway Acquisition—(Listed as "land acquisitions in the George Washington and Jefferson National Forest"	$1,775,000	Warner
National Park Service, Land Acquisition	Shenandoah Valley Battlefields Foundation	$1,985,000	Warner
Fish and Wild Service, Land Acquisition	Rappahannock River Valley National Wildlife Refuge	$1,500,000	Warner
Environmental Protection Agency, State and Tribal Assistance Grants Program	City of Lynchburg Combined Sewer Overflow	$500,000	Warner
Environmental Protection Agency, State and Tribal Assistance Grants Program	City of Opa Locka, Wastewater System Improvements	$500,000	Nelson, Bill
Environmental Protection Agency, State and Tribal Assistance Grants Program	Palm Beach County, Lake Region Water Treatment Plant	$500,000	Martinez
Environmental Protection Agency, State and Tribal Assistance Grants Program	Southwest Florida Water Management District, Upper Peace River Restoration of the West-Central Florida Water Action Restoration Plan	$500,000	Martinez
SUBCOMMITTEE ON DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES			
Elementary & Secondary Education (includes FIE)	Delaware Department of Education, Dover, Delaware, for the Starting Stronger for Student Success program to eliminate school-entry readiness gaps.	$190,000	Kaufman
Elementary & Secondary Education (includes FIE)	Delaware Department of Education, Dover, Delaware, to increase the English proficiency of English Language Learners by providing high quality instructional programs.	$190,000	Kaufman
Elementary & Secondary Education (includes FIE)	Metropolitan Wilmington Urban League, Wilmington, Delaware, to expand the "Achievement Matters!" project to more students	$190,000	Kaufman
Centers for Disease Control and Prevention (CDC)	Delaware Division of Public Health, Dover, Delaware, to assist in implementing several key recommendations of a state task force on infant mortality.	$190,000	Kaufman
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Beebe Medical Center, Lewes, Delaware, for the construction of a new School of Nursing	$476,000	Kaufman
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Christiana Care Health System, Wilmington, Delaware, to renovate and expand Wilmington Hospital's Emergency Department	$285,000	Kaufman
Health Resources and Services Administration (HRSA)—Health Facilities and Services	St. Francis Hospital Foundation, Wilmington, Delaware, to make capital infrastructure improvements	$285,000	Kaufman
Health Resources and Services Administration (HRSA)—Health Facilities and Services	University of Delaware, Newark, Delaware, for the Delaware Biotechnology Institute for high-end, state-of-the-art research equipment	$190,000	Kaufman
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Wesley College, Dover, Delaware, for the expansion of the nursing school program	$333,000	Kaufman
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Westchester County Department of Labs & Research, Valhalla, New York, for construction, renovation, and equipment	$809,000	Gillibrand
Administration on Aging (AOA)	Town of North Hempstead, New York, for the Project Independence naturally occurring retirement communities demonstration project	$333,000	Gillibrand
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Staten Island University Hospital, Staten Island, New York, for construction, renovation, and equipment for the emergency department	$476,000	Gillibrand
Employment and Training Administration (ETA)—Training & Employment Services (TES)	United Auto Workers Region 9, Local 624, New York, for incumbent worker training	$428,000	Gillibrand
Employment and Training Administration (ETA)—Training & Employment Services (TES)	Manufacturers Association of Central New York, Syracuse, New York, to improve employment and training in the manufacturing sector	$285,000	Gillibrand
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Greater Hudson Valley Family Health Center, Inc., Newburgh, New York, for construction, renovation, and equipment	$476,000	Gillibrand
Institute for Museum and Library Services	George Eastman House International Museum of Photography and Film, Rochester, New York, for educational programs	$381,000	Gillibrand
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Catholic Health System, Buffalo, New York, for telemedicine equipment for acute stroke assessment	$143,000	Gillibrand
Higher Education (includes FIPSE)	Dowling College, Oakdale, New York, to create and establish a school of Banking and Financial Services	$190,000	Gillibrand
Higher Education (includes FIPSE)	Union Graduate College, Schenectady, New York, for program support of a Masters degree in Emerging Energy Systems	$285,000	Gillibrand
Higher Education (includes FIPSE)	St. Bonaventure University, St. Bonaventure, New York, for the Father Mychal Judge program; which may include student scholarships and travel costs for student exchanges and visiting professorships.	$285,000	Gillibrand
Administration for Children and Families (ACF)—Social Services	Nassau County Coalition Against Domestic Violence, Inc., Hempstead, New York, to provide legal services to low-income victims of domestic violence.	$381,000	Gillibrand
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Niagara University, Niagara Falls, New York, for the Nursing Leadership project	$95,000	Gillibrand
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Cold Spring Harbor Laboratory, Cold Spring Harbor, New York, for The Women's Cancer Genomics Center	$714,000	Gillibrand
Higher Education (includes FIPSE)	Virginia Department of Correctional Education—Transition Program for Incarcerate Youth	$95,000	Warner
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Hampton University—Proton Beam Therapy Facility—Cancer Treatment Initiative	$571,000	Warner
Substance Abuse and Mental Health Services Administration (SAMHSA)—Substance Abuse Treatment	Arlington Mental Health and Substance Abuse Crisis Intervention and Diversion Program	$143,000	Warner
Elementary & Secondary Education (includes FIE)	Boys & Girls Club of Greater Washington (Virginia Clubs)	$95,000	Warner
Elementary & Secondary Education (includes FIE)	Child and Family Network Centers—Leveling the Playing Field (SEFS)	$95,000	Warner
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Inova Health System; Claude Moore Health Education Center	$523,000	Warner

Employment and Training Administration (ETA)—Training & Employment Services (TES)	NW Works—Autism Inclusion Initiative	$95,000	Warner
Elementary & Secondary Education (includes FIE)	Dinwiddie County Public Schools Library/Media Program	$95,000	Warner
Elementary & Secondary Education (includes FIE)	The Institute for Advanced Learning and Research—The STEM Mobile Learning Laboratory Project	$95,000	Warner
Higher Education (includes FIPSE)	Dickenson County Industrial Development Authority Clintwood, VA	$95,000	Warner
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Norton Community Hospital—Women's Center/Technology Enhancement Project	$95,000	Warner
Substance Abuse and Mental Health Services Administration (SAMHSA)—Substance Abuse Treatment	Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services, Richmond, VA, to provide treatment services for addiction to prescription pain medication.	$285,000	Warner
Health Resources and Services Administration (HRSA)—Health Facilities and Services	Eastern Shore Rural Health System—Onley Community Health Center	$476,000	Warner
Higher Education (includes FIPSE)	The Virginia Foundation for Community College Education—Great Expectations Program	$95,000	Warner
SUBCOMMITTEE ON TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES			
Buses and Bus Facilities	University of Delaware, Newark, Delaware, for an Automotive-Based Fuel Cell Hybrid Bus Program	$475,000	Kaufman
Interstate Maintenance Discretionary	Delaware Department of Transportation Newark Toll Plaza, Newark, Delaware, to improve the toll facility to incorporate highway speed E–Z Pass toll lanes.	$2,375,000	Kaufman
Interstate Maintenance Discretionary	Delaware Department of Transportation, Dover, Delaware, to add a fifth lane to I–95/SR–1 interchange	$1,900,000	Kaufman
Transportation, Community and System Preservation	Delaware Department of Transportation, Dover, Delaware, to replace the bridge along SR–1 over the Indian River Inlet	$1,900,000	Kaufman
Economic Development Initiatives	Delaware Children's Museum, Wilmington, Delaware, for construction	$190,000	Kaufman
Economic Development Initiatives	Easter Seals Delaware & Maryland's Eastern Shore, New Castle County, Delaware, to expand the existing facility	$142,500	Kaufman
Economic Development Initiatives	St. Michael's School and Nursery, Wilmington, Delaware, for HVAC replacement	$285,000	Kaufman
Economic Development Initiatives	Ministry of Caring, Wilmington, Delaware, for handicap accessibility to a women's homeless shelter	$475,000	Kaufman
Economic Development Initiatives	Wilmington Housing Authority for exterior façade repair of fire damage to low-income housing	$475,000	Kaufman
Transportation, Community and System Preservation	Main Street Multimodal Access and Revitalization Project, Buffalo, New York	$950,000	Gillibrand
Economic Development Initiatives	Development of a pedestrian bridge in Poughkeepsie, New York	$950,000	Gillibrand
Federal Lands (Public Lands Highways)	New York State Department of Transportation for the Fort Drum Connector (I–81 to Fort Drum North Gate), New York	$1,425,000	Gillibrand
Surface Transportation Priorities	Establishment of railroad quiet zones in the Town of Hamburg, New York	$475,000	Gillibrand
Buses and Bus Facilities	Niagara Falls International Railway Station/Intermodal Transportation Center, City of Niagara Falls, New York	$950,000	Gillibrand
Surface Transportation Priorities	Campus loop road extension for St. John Fisher College, Monroe County, New York	$475,000	Gillibrand
Alternatives Analysis	New York State Metropolitan Transportation Authority for the West of Hudson Regional Transit Access Project	$1,900,000	Gillibrand
Surface Transportation Priorities	New York State Department of Transportation for New York State Route 12 in Broome, Chenango, Madison, Oneida, and Herkimer Counties, New York.	$475,000	Gillibrand
Surface Transportation Priorities	Town of Clarkstown, New City Hamlet, New York, to revitalize South Main Street	$475,000	Gillibrand
Capital Investment Grants	New York State Metropolitan Transportation Authority for the Second Avenue Subway—Phase I, New York, New York	$277,697,000	Gillibrand
Capital Investment Grants	New York State Metropolitan Transportation Authority for the Long Island Rail road East Side Access, New York	$209,623,898	Gillibrand
Surface Transportation Priorities	Gate and Intersection Improvements at Fort Lee, VA	$1,425,000	Warner, Mark
Interstate Maintenance Discretionary	I–95/Fairfax County Parkway Interchange, VA	$1,900,000	Warner, Mark
Surface Transportation Priorities	Route 1/Route 123 Interchange Improvements, VA	$950,000	Warner, Mark
Transportation, Community, and System Preservation	US 17/Dominion Blvd Widening (Cedar Rd to Great Bridge Blvd) and Drawbridge Replacement (over Atlantic Intercoastal Waterway), Chesapeake, VA.	$237,500	Warner, Mark, Webb
Federal Lands—Highways	US Route 1/VA Route 619 Traffic Circle/Interchange, at the entrance of USMC Quantico Marine Corps Base, Prince William County, VA	$1,187,500	Warner, Mark
Capital Investment Grants	VRE Rolling Stock, VA	$5,000,000	Warner, Mark
Buses	Greater Richmond Transit Company (GRTC) Bus Replacement, VA	$617,500	Warner, Mark
Buses	Southside Bus Facility Replacement in Hampton Roads, VA	$1,235,000	Warner, Mark
Buses	WMATA Bus and Bus Facility Safety Initiative, MD	$475,000	Warner, Mark
Capital Investment Grants	Dulles Corridor Metrorail, VA	$29,100,000	Warner, Mark
Capital Investment Grants	Norfolk LRT, VA	$23,592,108	Warner, Mark
Capital Investment Grants	Largo Metrorail Extension, DC/MD	$34,700,000	Warner, Mark
Capital Investment Grants	Improvements to the Rosslyn Metro Station, VA	$2,000,000	Warner, Mark
Capital Investment Grants	BRT, Potomac Yard-Crystal City, City of Alexandria and Arlington County, VA	$1,000,000	Warner, Mark
Economic Development Initiatives	Boys and Girls Club of Fauquier County, VA, for facility renovations in support of the new building, including making the building handicap accessible.	$198,000	Warner, Mark
Economic Development Initiatives	Newport News, VA, for acquisition, demolition and relocation activities, and capital improvements of dilapidated housing	$432,250	Warner, Mark
Surface Transportation Priorities	Railroad Grade Separation Undercrossing, Livingston, MT	$332,500	Tester
Buses and Bus Facilities	Greater Minnesota Transit Capital, MN	$2,850,000	Klobuchar
Transportation, Community, and System Preservation	Pinon Hills Boulevard East and Animas River Bridge, NM	$895,375	Bingaman
Airport Improvement Program	Des Moines International Airport, Runway 13R/31L Land Acquisition, IA	$475,000	Grassley
Interstate Maintenance Discretionary	Pedestrian Bridges over I–80, Iowa City, Johnson County, IA	$475,000	Grassley
Surface Transportation Priorities	Highway 169 Corridor Project Environmental Assessment, Preliminary Engineering and Planning, Humbodlt, IA	$760,000	Grassley
Surface Transportation Priorities	Wapsi Great Western Line Trail, Mitchell County, IA	$570,000	Grassley
Transportation, Community and System Preservation	24th Street/23rd Avenue Corridor Improvement, Council Bluffs, IA	$237,000	Grassley
Transportation, Community and System Preservation	4-Laning of US 20 from Sac-Calhoun County Line to Molville, IA	$570,000	Grassley
Transportation, Community and System Preservation	Mississippi Drive Corridor, Muscatine, IA	$475,000	Grassley
Surface Transportation Priorities	North Access Road at Jacksonville International Airport, FL	$570,000	Martinez
Transportation, Community and System Preservation	Design and Construction for the Widening of US 331, Walton County, FL	$237,500	Martinez
Transportation, Community and System Preservation	I–12 Interchange at LA–16, Denham Springs, LA	$950,000	Vitter
FTA Priority Consideration	Gainesville-Haymarket Virginia Railway Express (VRE), VA		Webb

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, we are looking right now at a $410 billion piece of legislation approved by the House last week, largely on party lines, that we are beginning to debate today. It is 1,123 pages. It is interesting that it is accompanied by a 1,844-page statement of managers. Put them together, and we have 2,967 pages of legislation. Not surprisingly, the measure has unnecessary and wasteful earmarks. So much for the promise of change. So much for the promise of change. This may be—in all the years I have been coming to this floor to complain about the earmark, porkbarrel corruption that this system has bred, this may be probably the worst—probably the worst.

I just went through a campaign where both candidates promised change in Washington; promised change from the wasteful, disgraceful, corrupting practice of earmark, porkbarrel spending. We have former Members of Congress residing in Federal prison. We have former congressional staffers under indictment and in prison. So what are we doing here? Not only is this business as usual, but this is an outrageous insult to the American people.

Today we find out that the unemployment rate in the great State of California just went over 10 percent. It just went over 10 percent. So what are we going to do? We are going to spend $1.7 million for pig odor research in Iowa. We are going to spend $2 million for the promotion of astronomy in Hawaii. Why do we need—I ask the Senator from Hawaii: Why do we need to spend $2 million to promote astronomy in Hawaii when unemployment is going up and the stock market is tanking? Do we really need to continue this wasteful process?

This includes $6.6 million for termite research in New Orleans; $2.1 million for the Center for Grape Genetics in New York. You will notice there is a State or a district or a town or a location associated with all of these projects. You will notice that because that is what it is: $1.7 million for a honey bee factory in Weslaco, TX. Forgive me if I mispronounced the name of the town in Texas.

So here we are. Here we are promising the American people hope and change, and what do we have? Business as usual. What does the administration say? What does the administration say? Mr. Peter Orzag—an individual I don't know—brushed off questions during his appearance on ''This Week'' about whether the President would sign a spending bill that contains 9,000 earmarks—9,000 earmarks. Noting that during the campaign President Obama said he would work to limit earmarks and make them more transparent, his response was: This is last year's business. We want to just move on.

Last year's business? The President will sign this appropriations bill into law. It is the President's business. It is the business of the President of the United States. It is the business of the President of the United States to do what he said. When we were in debate seeking the support of the American people, he stated he would work to eliminate—eliminate—earmarks.

Last September, President Obama said during the debate in Oxford, MS:

> We need earmark reform and when I am President, I will go line-by-line to make sure we are not spending money unwisely.

That is the quote of the promise the President of the United States made to the American people in a debate with me in Oxford, MS.

So what is brought to the floor today? Nine thousand earmarks, billions and billions of dollars of unneeded and wasteful spending, and the President's budget person says: This is last year's business. We want to just move on. That is insulting to the American people.

White House Chief of Staff Rahm Emanuel appeared on ''Face the Nation.'' According to the New York Times, Mr. Emanuel said:

> Mr. Obama was not happy with the large number of earmarks in this bill, but—

Mr. Emanuel said—

> the President kept lawmakers from adding a single earmark to this $287 billion stimulus package and a $32.8 billion plan to the State Children's Health Insurance Program.

By the way, that statement is disingenuous on its face.

So I guess we are doing last year's business. Does that mean last year's President will sign this porkbarrel bill? I wish to freely acknowledge—I wish to freely acknowledge that Republicans were guilty of this as well. I have said time after time there are three kinds of Members of Congress: Republican Members, Democrat Members, and appropriators.

If it sounds as if I am angry, it is because I am. The American people today want the Congress to act in a fiscally responsible manner, and they don't want us to continue this corrupting practice.

My colleague from Oklahoma is here. He calls it a gateway drug—a gateway drug. I am not going to pick up this managers' package. Look at this. Look at this. Look at this. Have we had a single one of these projects authorized? Has any of them gone through the authorizing committee? Have any of these projects been examined for whether they are better or worse or more meritorious than others? No. They are in there because of the political clout and seniority of Members of Congress. That is what this is all about—political influence.

Maybe one could argue when this economy was good and we were in a surplus this kind of wasteful spending could be brushed aside; that it was somehow, in the view of some, acceptable. It is not now. It is not now. There are millions of Americans out of work, unemployment is climbing, and the stock market is tanking.

So what do we do in response to that, as every American family is having to tighten their belts, sitting around the kitchen table figuring out how they are either going to keep a job or get health insurance, keep their families together and stay in their homes? We are going to spend $333,000 for the design and construction of a school sidewalk in Franklin, TX. Now, maybe that Franklin, TX, school needs a sidewalk. Maybe other places need a sidewalk too.

We are going to spend $951,500 for a sustainable Las Vegas. What does that mean? What does sustainable Las Vegas mean?

We are going to spend $143,000 for Nevada Humanities to develop and expand an online encyclopedia.

Is there no place besides Nevada that they need to expand an online encyclopedia? There hasn't been a lot of coverage on the $200,000 for a tattoo removal violence outreach program in the L.A. area. Is that program also needed in other areas? Why did we pick out L.A.? There is $238,000 for the Polynesian Voyaging Society in Honolulu, HI. We have $238,000 for the Polynesian Voyaging Society in Honolulu, HI, when people are out of a job. There is $100,000 for the regional robotics training center in Union, SC. There is $238,000 for the Alaska PTA. There is $150,000 for a rodeo museum in South Dakota.

Americans are angry, Mr. President, and they are going to know a lot more about this bill before we have a final vote. They are going to know a lot more about it. Americans are going to be angry. Americans are angry now at what we have done. The approval rating of Congress is incredibly low. So we will be going through a lot of this.

By the way, there is an outfit called PMA. A lot of Americans haven't heard of PMA. It is a lobbying organization. Contained within this legislation are 14 earmarks that the managers of the bill put in, and these 14 earmarks total nearly $9.7 million. Guess to whom they are directed—clients of the PMA Group. The PMA Group, for the benefit of my colleagues, is a lobbying group, a firm recently forced to close its doors after being raided by the FBI for suspicious campaign donation practices. The firm is under investigation. So what did they do? They went out and got $9.7 million worth of your taxpayer dollars, totaling $9.7 million, after being raided by the FBI for suspicious campaign donation practices. They remain under investigation. Do you think maybe we could take that out?

I have long spoken about a broken appropriations process, vulnerable to

corruption and abuse, and the allegations against the PMA Group and some Members of Congress stand as a testament to the urgent need for reform. How could we allow these provisions to move forward while their principal sponsor is under Federal investigation? How do we do that?

Mr. President, we will be talking a lot more in the days ahead as we go through this legislation. I hope the American people will rise up and demand that what we need to do is just have a continuing resolution, continue with the spending levels that were part of the continuing resolution. If this is a ''change,'' then let's start implementing change.

If there is any testament to business as usual here in the Congress of the United States, it is this bill before us. Americans all over this country hope for change. They hope the corruption, earmarking, and porkbarrel practices will stop. What are we giving them? We are giving them a slap in the face, that is what we are giving them.

I know my colleague from Oklahoma is here. I will be glad to hear the explanation from my colleagues, the distinguished managers of the bill, as to why 14 earmark projects obtained by the PMA Group, which has been shut down and is under FBI investigation, why we need $1.7 million for pig odor research in Iowa, and why we have 1,100 pages of the managers' statement. A managers' statement is supposed to be a description of the bill. What has happened over the years is that we have stuck in more and more provisions in the managers' statement which then, according to the agencies of Government, have the force of law. So we get tens of billions of dollars of unnecessary and wasteful earmarks. So much for the promise of change.

I yield the floor.

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

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. COBURN. Mr. President, before we get started——

Mr. INOUYE. Will the Senator yield?

Mr. COBURN. Yes, I am happy to yield to the chairman.

Mr. INOUYE. Is the Senator going to propose an amendment?

Mr. COBURN. I will not at this time.

Mr. INOUYE. Thank you.

Mr. COBURN. Mr. President, it is interesting—and the American people ought to pay attention to this—what we have right now is a bill that is $410 billion. It is $363 million a page. And now we have instructions from the majority leader that no amendments are allowed to be offered. That is what the intent of the quorum call was. That is why the honorable chairman asked me that question. The only way I can talk on the floor is if I agree not to offer an amendment to $410 billion worth of spending, at $363 million per page. What are we coming to? Now we can't offer amendments. I reached out to Senator REID and said I would work with him on packaging amendments in a way that would not delay this bill, in a way that we can still have a good debate and lots of amendments offered. My goodness, you have 57 votes. You can win almost any vote here. Why do you not want to have amendments? They don't want to have amendments because they really don't want the American people to know what is in this bill. That is why.

This bill represents the spending for all of these agencies we have not sent the money to this fiscal year. But it also represents the worst excesses of Congress. It represents parochialism ahead of principle. It represents putting politicians first and putting the people last. That is what this bill represents. It represents the exact opposite of what our President said he wanted, which was ''change you can believe in.'' Now we have change that is exactly what we saw before President Obama became President. We have the same standard of behavior. Tons of earmarks are in this bill. That is a totally different question. This bill has grown by over $32 billion from the same period last year, of which we just increased most of these agencies on an average of around 80 percent with the stimulus bill. Now we are going to increase it another 8.4 percent, and we are not supposed to offer amendments. We are not supposed to take out things that are obviously quid pro quo in terms of earmarks and campaign contributions, as the Senator from Arizona just mentioned, from the donors we are seeing who are being investigated right now.

The way to get our Government back is to have free and honest debate in the greatest deliberative body in the world, which is supposed to be the U.S. Senate. Now we cannot offer amendments on a bill that is almost half of the entire discretionary spending of the country because we are not sure they want to take a vote on a bill. I have not been bashful about what I want to do.

There is an Emmett Till bill that we passed under controversy here. We got it passed. There is not one penny for funding for the Emmett Till Unsolved Civil Rights Crimes in this bill, which your side totally promised would be in this spending. You are abandoning Alvin Sykes and all these families who had unsolved civil rights crimes over the last 30, 40 years in this country and reneging on a promise that said you would put the money in the Justice Department. Yet there is not a penny there. We are high and mighty when it comes to authorizing and when we promise we will do the right thing. But when it comes down to it, we would rather give earmarks for pig smell than fund the solution for unsolved civil rights crimes. I tell you, by doing that, I think we have dishonored a great number of people who worked hard to make sure that bill got passed, the least of which is not Alvin Sykes, a man who has dedicated the last 10 years of his life to seeing that justice was not denied to these families. Here we have a bill which we made promise after promise that we would take care of, and we have done nothing. Of course nobody wants to change this bill. They don't want to change the bill because we are running up to a deadline we have known about since the fiscal year started. No, you cannot change the bill because we will have to extend the CR. There are a lot of benefits to extending the CR: One, we save our grandkids $38 billion—that is one of the benefits—and two, we don't reward behavior that causes us to be less than honorable.

There are 8,570 earmarks in this bill. I am not opposed to earmarks if they are authorized and go through a committee and Senators say they are a priority. But the average American, when they look at all these earmarks, is going to say: How in the world is that a priority? Yet we spend $7.7 billion out of that $30 billion—increased spending—so we can help Senators get reelected and so they will look good at home.

Mr. President, I worry about our Republic. You should be worried too. In the face of the greatest economic difficulty we have seen in over half a century in this country, the status quo has not changed in the Senate. We have not called up the courage to do what is best for this country. What we have done is relied on what is best for the politicians. I worry about what our kids are going to see, what standards of living they are going to have, because it is exactly this behavior that will mortgage their future, and it is not just the dollars, it is the misdirection of funds against a standard that common sense would say is not a priority now. We ought to be doing what is most important for this country first and what is best for the politicians last. This bill has it wrong. It has it backward.

I told the majority leader a moment ago that I would work with him to make sure we didn't obstruct. But maybe we should obstruct this bill, we should stop this bill. Based on the waste in it, the lack of oversight, lack of metrics in the programs, the earmarks in it, and the outright greed for the special class in this country—and that special class is the connected class of the politician. That is who benefits most from this bill. It makes me want to vomit.

You should worry about process in this Chamber because process is the thing that creates transparency. The American people are going to get to see—if we get an opportunity to offer amendments—what is really in this bill.

I will finish my rant by saying that I wonder what the Senators before us, 50 and 100 years ago, would say about what is going on with process in this Chamber right now. You have the votes to defeat anything. Yet you don't want to have an amendment that you have to take a vote on that says this is a priority or this isn't a priority.

To me, I think that lacks honor, I know it lacks courage, and it lacks the dignity this institution deserves.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Hawaii.

Mr. INOUYE. Madam President, does the Senator from Texas wish to speak?

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I thank the distinguished bill managers for the opportunity to speak by unanimous consent as in morning business for up to 10 minutes.

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

TEXAS INDEPENDENCE DAY

Mr. CORNYN. Madam President, I rise to speak on behalf of Texas Independence Day, March 2. On this date in 1836, delegates from 59 Texas settlements in what was then Mexico declared their independence from that country and their determination to live in liberty. The delegates who met in this small town known as Washington-on-the-Brazos were a diverse group. Two of the delegates were native Mexicans, Jose Francisco Ruiz and Jose Antonio Navarro. The rest were immigrants from Europe, from Mexico, and, yes, from the United States. Two-thirds of the delegates were less than 40 years old.

Several of the delegates had political experience, men such as Sam Houston, who had been Governor of the State of Tennessee. He, Robert Potter, and Samuel Carson had all served in the Congress. Richard Ellis had participated in the constitutional convention of the State of Alabama, and Martin Parmer had done the same in Missouri.

These delegates, and the people they represented, had a clear goal. They wanted freedom. In this case, the freedom guaranteed to them under the Mexican Constitution but which had been lost under the dictatorship of then-President Antonio Lopez de Santa Anna.

The Texas delegates modeled their declaration of independence on the one signed in Philadelphia 60 years earlier. They expressed their grievances, their determination to protect their freedoms, and their vision for a new nation—the Republic of Texas.

The ''Unanimous Declaration of Independence by the Delegates of the People of Texas'' was signed by those 59 delegates on March 2. Five copies were sent to the towns of Bexar, Goliad, Nacogdoches, Brazoria, and San Felipe. Because there were no printing presses in Washington-on-the-Brazos, the printer in San Felipe was ordered to print 1,000 copies in handbill form. The original copy was sent to the U.S. Department of State in Washington, where it would stay for six decades before being returned to the State where it was written.

Even as the delegates signed this historic document, they knew their love of liberty might demand the ultimate sacrifice. At that moment, less than 200 miles to the west, Santa Anna's army was laying siege to the Alamo. Just days earlier, its young commander, William Barret Travis, sent out this letter. He wrote:

> Fellow citizens & compatriots—I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained a continual Bombardment & cannonade for 24 hours & have not lost a man—The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the forth is taken—I have answered the demand with a cannon shot, & our flag still waves proudly from the walls—I shall never surrender or retreat. Then, I call on you in the name of Liberty, of patriotism and everything dear to the American character, to come to our aid, with all dispatch—The enemy is receiving reinforcements daily & will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible & die like a soldier who never forgets what is due to his own honor & that of his country—Victory or Death!

Madam President, death came to the defenders of the Alamo, but victory came to the people of Texas shortly thereafter. On April 21 of that year, Sam Houston and about 900 Texas soldiers defeated the larger Mexican Army at the Battle of San Jacinto. The surprise attack was so successful. It lasted all of 18 minutes, and the next day, Santa Anna himself was captured. By this victory, Texans won the independence they had declared less than 2 months earlier.

Sam Houston went on to serve as President of the Republic of Texas, after serving as Governor of Tennessee, a Member of the House of Representatives from Tennessee, then as President of the Republic of Texas. And after statehood, he served right here in the Senate as one of the first two Senators from our State.

I am honored to hold the same seat in this body that was first held by Sam Houston. He served here for 13 years. He was a champion of Native Americans and raised his voice against secession and Civil War.

Today, Texans honor the courage and sacrifices of those who won our independence and those who have followed in their footsteps to this day.

In the past year alone, I have had the honor to present a Bronze Star to a native of Harlingen, TX, who helped lead the breakout from a beachhead in Anzio during World War II. I was honored to present a Purple Heart to a resident of Seguin who was severely wounded by mortar fire in Korea. I have seen tears of sorrow and of pride of those who have lost loved ones in Iraq. And I have honored young men and women who even now are completing their first year of study at our Nation's service academies.

All these heroes and their families have paid the ultimate tribute to those who stood for freedom 173 years ago. In remembrance of all those who have risked their lives to keep Texas and the United States a land of liberty, I close with the words of our State song:

> God bless you Texas! And keep you brave and strong, That you may grow in power and worth, Thro'out the ages long.

Madam President, I yield the floor.

Mr. INOUYE. Madam 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. MCCAIN. Madam 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. 592

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

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

> The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 592.
>
> (Purpose: To continue funding at fiscal year 2008 levels through the end of fiscal year 2009)
>
> Strike all after the enacting clause and insert the following:
>
> **SECTION 1. CONTINUING 2008 FUNDING LEVELS.**
>
> Section 106(3) of Public Law 110–329 is amended by striking ''March 6, 2009'' and inserting ''September 30, 2009''.

Mr. MCCAIN. Madam President, this amendment is very simple and straightforward. Instead of the bloated, earmark-filled $410 billion Omnibus appropriations bill and statement of managers totalling 2,967 pages that no Member could possibly have read given the sheer volume, this amendment would provide for a long-term CR to fund the Federal Government through the end of this fiscal year. It is a one-page amendment. It approaches fiscally responsible discipline in an expeditious way which is why just 2 years ago we agreed to nearly the exact same approach when we agreed by a vote of 81 to 15, on February 14, 2007, to revise the continuing appropriations resolution 2007.

I note no Member of the majority voted in opposition to that approach which, similar to the amendment I am proposing, funded nearly all the agencies of the Federal Government, except the Department of Defense and the Department of Homeland Security which had been enacted as regular appropriations bills. The only difference today is the MILCON–VA funding was approved last year and is not part of this continuing resolution, that and the fact that the majority is in control of the House, Senate, and White House.

When are we going to grasp the seriousness of the economic situation confronting us? We learned Friday that the GDP sank 6.2 percent in the last

quarter of 2008, far worse than what was expected. With the economy contracting by the fastest pace in a quarter century, this needs to serve as a wakeup call. We cannot afford literally to continue under this same status quo.

Let's consider some cold, hard facts. The current national debt is $10.7 trillion. The 2009 projected deficit is $1.2 trillion. The total cost of the economic stimulus enacted 2 weeks ago is $1.24 trillion. That is $789 billion plus interest. TARP I and II, $700 billion; TARP III, $250 billion to $750 billion or more; the President's budget request for 2010, $3.6 trillion. And now here we are debating a pork-filled $410 billion Omnibus appropriations bill to fund the Federal Government through the second half of the fiscal year at a funding level that is nearly 10 percent greater than spending for the last fiscal year, which, according to the ranking minority of the House Appropriations Committee, represents the largest increase in annual discretionary spending since the Carter administration.

Combine the total costs of this omnibus with the Defense and Homeland Security and Military Construction bills passed last year, and spending for fiscal year 2009 will top $1 trillion.

Now let's consider the impact of the funding increases in this bill, combined with the billions of dollars provided to these agencies in the stimulus. According to a document prepared by the House Appropriations Committee minority, the combined cost of the omnibus and the recently passed stimulus bill results in the following increases in this year's spending in billions of dollars: Agriculture, the percent increase over last year is 45 percent. That is $26.1 billion. Commerce, State and Justice—this is with the stimulus and the bill before us, with its 1,100 pages of managers' statement—is a 41 percent increase. Energy and water, a 151 percent increase; financial services, 43 percent; Interior, 45 percent; Labor-HHS, 91 percent; legislative branch, 12 percent; State and foreign ops, 13 percent; Transportation, 139 percent—a total of an 80-percent increase over last year's spending.

We are committing generational theft because we are going to ask our kids and our grandkids to pay this bill.

While I wish to say it is time to put a halt to business as usual, I find myself thinking this level of funding defies that description. It is beyond anything I have ever witnessed and is extremely alarming. That is why we should adopt this long-term continuing resolution that will effectively freeze spending to last year's level and eliminate wasting an additional $7.7 billion on more than 9,000 wasteful earmarks.

Just as the chairman of the Appropriations Committee, Senator BYRD, said during the February 2007 debate on a continuing resolution, it is a fiscally disciplined resolution, and so is this one. During the week, there will be many discussions on the floor about the questionable funding contained in this omnibus spending bill. It is difficult even for me to grasp the level of unnecessary spending proposed in this bill. It may be the most egregious pork-barrel spending I have witnessed in all my years here.

Over the past few days, I have been listing a top 10 each day of some of the most stunning provisions. I have been twittering. Remarkably, it would take me almost 3 years to list every earmark—if I continued to list the top 10—until all the more than 9,000 were mentioned. I state this to put some perspective on the enormity of this level of earmarking.

I have been through some of them before, but they make you laugh and they make you cry: $190,000 for the Buffalo Bill Historical Center in Cody, WY; $951,500 for the Oregon Solar Highway.

Some of these projects may be worthwhile. They may be projects we all need. If they are, they should go through the process of authorization and appropriation. They are not. They are inserted in an appropriations bill in a fashion that no Member of this body has read this managers' statement or this bill. That is what is wrong with it.

There will be arguments in favor of a certain earmark. There will be an argument for $6.6 million for termite research in New Orleans. Then why didn't it go through the proper authorizing committee and then have the funds appropriated? That is what is required by the procedures of the Senate, which have been violated more and more and more. And unfortunately, what happens when you commit any egregious breach, when you engage in activities that are unethical, they grow and they grow. And I say—and I say again—this is serious stuff. We have former Members of Congress and their staffs residing in Federal prison.

The Senator from North Dakota and I spent a couple of years investigating Mr. Abramoff, and we did so under the authorizing committee of the Indian Affairs Committee—what some view as an obscure committee—and we uncovered these egregious activities of ripping off Native Americans of millions of dollars; of the incestuous relationship between staffers and Members of Congress and this process. We confined our activities to Native Americans. There was much more evidence of wrongdoing. But because we were the Indian Affairs Committee, we kept our investigation to those.

I don't know how many people are now in prison, but I know recent indictments have come down. So this is not trivial stuff we are talking about. This is corruption. And when we do things such as this, then it encourages a practice.

I asked earlier in my comments how in the world could we appropriate items which had been lobbied for by a group called PMA, whose offices were raided by the Federal Bureau of Investigation? How can we insert their earmarks into an appropriations bill? I don't get it.

My amendment is simple. It goes back to a continuing resolution and funds the activities of the Government at last year's levels, which obviously were sufficient last year. We need to do some belt tightening, I don't think there is any doubt about that. We are asking every American family to do that today. And every American family is having to do it today as we face an unprecedented economic distress which is affecting literally every family in America. It is a great and ongoing tragedy. It seems to me that we, as a Congress, can at least not increase the spending over last year's level as Americans have lost at least half of their savings in the stock market in the last year.

I hope we will approve this amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

HEALTH CARE REFORM

Mr. WYDEN. Madam President, I thank the distinguished chairman of the committee for the chance to speak at this time. I am going to talk a bit about the cause of health care reform, and I know the chairman has been a leader in this area lo these many years.

For some time, the planets have started to align for the cause of health reform, and today the President put in place some stars in Kathleen Sebelius and Nancy-Ann DeParle for key assignments in this health reform effort. Both of them bring extraordinary qualifications to their positions.

Kathleen Sebelius is a renowned expert on the cause of insurance reform. This is going to be especially important because the insurance model today is fundamentally flawed. It is all about cherry-picking—taking healthy people and sending sick people over to government programs more fragile than they are. Under Kathleen Sebelius, I am of the view we will reinvent that insurance system. Private insurers will compete on the basis of price, benefit, and quality.

I believe we will have bipartisan support for that effort. The President has talked about it. Chairman BAUCUS has it in his white paper. Chairman KENNEDY has long advocated this very different model of private insurance. I am pleased to say in our bipartisan Healthy Americans Act, which Senator BENNETT and I have sponsored, we include it as well. With Kathleen Sebelius and her expertise in the insurance field, we will be in a position to get it done and get it done with bipartisan support.

Nancy-Ann DeParle brings the same qualifications to the task of fixing health care. She is an expert in health care numbers. She was involved what was then the Health Care Finance Administration. But what I like the most about Nancy-Ann DeParle is that she has always understood that enduring solutions to big questions—such as fixing health care—are going to require that we bring together bipartisan support for those efforts.

To his credit, the President has emphasized how important it is to have bipartisan support for this challenge. I believe at this point Democrats and Republicans can come together and end the gridlock over health care reform. I think we are now seeing emerge a bipartisan consensus that each party has been right on fundamentals with respect to health care.

Democrats have been right about the proposition that you cannot fix the system without covering everybody. If you don't cover everybody, the people who are uninsured shift their bills to the insured, and they shift the most expensive bills. So my view is my party has been right on the question of coverage, and it is time to get all Americans good quality, affordable health care.

I also believe Republicans have contributed significantly because we do need a strong private sector, one that encourages innovation, one that steers clear of price controls and a one-size-fits-all Federal solution. So I think there is opportunity now for private sector choices as well as expanding coverage. Again, President Obama has included that kind of thinking, Chairman BAUCUS has, Chairman KENNEDY has, and we have it in the Healthy Americans Act as well.

Some are saying—and we have heard this repeatedly in recent weeks—that our country, with our fragile economy, can't afford health care reform. I am of the view that our economy can't afford the status quo. If you think about what is going on in North Carolina, the reason people's take-home pay doesn't go up is because it is all going to health care. The fact is that fixing the economy and fixing health care are two sides of the same coin. The Obama administration—particularly Peter Orszag, the Budget Director—has long recognized this.

The President was right to say that after 60 years of talking about health care, he didn't want to wait until year 61 to get something done; he wanted to do it this year. Today, by appointing Kathleen Sebelius and Nancy-Ann DeParle, he got these efforts off to a very strong start.

This Thursday we will have a health care summit. Proponents, opponents, and those of differing views will be around the table. Again, the President has made the right call by inviting some who haven't been advocates for health care reform in the past. But I think we are seeing a dramatic departure from a lot of the positions of the past, and that is what is going to make Thursday's session very exciting and I believe very productive.

For example, in 1993 and 1994, when our country debated health care reform under the Clinton plan, the business community said, We can't afford to fix health care. Now the business community—businesses small and large and of all philosophies—are saying, We can't afford the status quo. Chairman BAUCUS and Chairman KENNEDY and their ranking minority members, CHUCK GRASSLEY and MIKE ENZI, have a long record of being able to work in a bipartisan fashion to build on those new sentiments coming from the business community.

I believe Senator BENNETT and I, with the 13 Senators who are part of the Healthy Americans Act coalition, can bring to the President, can bring to our chairs and ranking minority members, some ideas that can pick up bipartisan support. They know we are anxious to work with them and to work with them quickly. To stick to the President's timetable is going to require that kind of bipartisan goodwill, and I believe it is now there.

I believe that the health care challenge in this country, with exploding costs and demographics that are relentless, requires a lot of the old thinking be set aside. I believe it is doable. In the course of the last 2 years, I have had a chance to visit more than 80 of our colleagues in their offices, to listen to them, to get their thoughts on what needs to be done in health care, and to a person, I found a desire to act and to act now.

I think, as the President knows, you can't have a town meeting—whether it is North Carolina or Oregon, or anywhere else in this country—without health care dominating the discussion. So this Thursday provides an opportunity to bring people together. We will have the nominations of Kathleen Sebelius and Nancy-Ann DeParle going forward. I am certain they are going to be approved with very substantial bipartisan support, and then we will be down to the task of writing legislation.

On the key issues there is agreement among reformers. Clearly, you have to cover everybody to stop cost shifting. You have to change the insurance model so that instead of spending time scouring out the bad risks and taking only healthy people, there is a different model of private insurance where plans compete on the basis of price, benefit and quality. We are going to come together and make sure we are purchasing value for our health care dollar.

Dr. Orszag has pointed out on many occasions that something like 30 percent of the health care dollar goes for services of little or no value. That is these services don't help patients get healthier. Chairman BAUCUS and Chairman KENNEDY have some good ideas for changing that as well.

I think, finally, there will be a very sharp new focus on prevention and wellness. When Senator BENNETT and I were talking about the Healthy Americans Act, we thought there were a number of key areas we felt strongly about. But what we felt most strongly about was getting a new emphasis on prevention and wellness. That is why we called it the Healthy Americans Act—because to a great extent, Madam President, we don't have health care at all in this country. We have sick care.

Medicare Part A, the biggest health care program in our country, will pay thousands of dollars for senior citizens' hospital bills, and Medicare Part B, on the other hand, will not do anything to award prevention and to keep people healthy. So in the Healthy Americans Act we say seniors who make efforts to lower their blood pressure or lower their cholesterol will get lower Part B premiums.

The fact is, the entire health system does little to encourage prevention. For example, with the typical workers changing their jobs every few years—right now the workers, by the time they are 40, change their jobs 11 times—there is not a great incentive for private insurers to invest in prevention. So what the President seeks to do—and Chairman BAUCUS, Chairman KENNEDY, Senator BENNETT, myself, distinguished chairman of the Appropriations Committee who is part of our legislation—we are saying let's make health coverage portable so you can take it from place to place as you change your job, and in the future private insurance companies will have an incentive to invest in wellness and prevention and good health care because people will be staying with them. In today's system, when workers jump from one job to another every year or year and a half there is no incentive for the insurance company to invest in your health.

Madam President, I said the planet was aligning for the cause of health reform. With the appointment of two true stars, Kathleen Sebelius and Nancy-Ann DeParle, the President took another significant step toward achieving our goal today. I believe, after 60 years of bickering about this subject—it literally goes back to the 81st Congress with Harry Truman—there is new momentum for an enduring fix for the challenges of American health care. To make an enduring solution to those challenges requires that Democrats and Republicans come together. I think that is going to be possible with both parties having the ability to secure major objectives they have worked for in the past.

With Thursday's summit coming up, I think the American people will see that now the hard work is going to go forward. This time, after years and years of polarizing debates, there is going to be an opportunity to come together. I believe the Congress, with the leadership of President Obama, is going to take that opportunity.

I yield the floor.

Mr. INOUYE. 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. KYL. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. KYL. Madam President, I would like to speak to the fiscal year 2009 appropriations bill, or what we call the

Omnibus appropriations bill, that is before us right now, beginning with a general discussion and then some of the concerns that many of us on the Republican side have with this legislation.

As I think most folks know, this is the second half of funding for the fiscal year we are in right now. The first half went through March—or basically through the end of this coming week—and then the second half of the year we said we would do late, and that is this legislation. I will discuss more of the process later, but the reason this was done in two pieces, I think, is twofold.

First of all, the majority was not able to get the entire bill done last year, either intentionally or because it represented a lot of work—although that is the way we do it every other year—and second, I think there was a feeling there was a good likelihood they would add to their numbers on the majority side and potentially have a Democratic President, and so there may be some policy changes and other changes they would want to make in the legislation that they would have an easier chance to get passed than if they had done that when there were more Republicans in this body, for example, and a Republican President who could veto the bill.

I say that because some of the things that are in this bill clearly represent changes from what was going to be the funding for this fiscal year until this special process was indulged. I do think and hope my colleagues on the Democratic side appreciate one of the reasons Republicans have concerns about this are these changes that have been made.

In general terms, the $410 billion funding level is $32 billion or 8 percent higher than the fiscal year 2008 enacted level. At a time when we are suffering from pretty tough economic times, this is a pretty healthy increase in spending over last year. According to the House Republican appropriators, if you exempt the 9/11 funding in the bill, it is the largest increase in annual discretionary spending since the Carter administration. The bill is long—it is 1,124 pages long—and in addition to that there is a 1,000-page joint explanatory statement.

I confess I have not gotten through all of those things. But staff have tried to read through it and have identified some of the things I want to discuss this afternoon.

If you add the bills we did pass to fund the Government for the entire year—the Defense bill, Homeland Security and Military Construction—then the total of the discretionary funding for the year will exceed $1 trillion for the first time in the history of the United States.

So it is a big spending bill. The total, as I said, is about $21 billion above President Bush's fiscal year 2009 request.

Some of the spending concerns specifically are the following: Probably the biggest is the fact that when we did the so-called stimulus bill, we spent almost $1 trillion. Much of that was spent on programs that are actually imbedded in this Omnibus appropriations bill. Constituents may be a little bit confused on that point. We know they know we have an appropriations bill that got us started on the year 2009.

They know we had this $1 trillion-plus so-called stimulus bill. So why are we doing an Omnibus appropriations bill on top of that? It is a good question, especially in those areas where there is duplicative funding, which there is a lot of. There are 122 programs that already received hundreds of billions of dollars in the stimulus bill. You would think they would not be included in this bill, so that you had duplicate spending.

But, no, they were both in the stimulus bill and also in this bill. According to, again, the House Appropriations Committee Republicans, the omnibus and stimulus together include $680 billion for new programs. There are also program expansions, there is one-time spending. If you add all these things together, you have an 80-percent increase in the funds for those accounts over the 2008 level. Think of that, an 80-percent increase.

Now, you can even rationalize maybe a 6- or 8-percent increase over the previous year. But an 80-percent increase? That is obviously way too much. Just a couple of examples of things that got into this bill. There is $15 million for beginning of a study for a new House office building. I served time in the House of Representatives, and actually worked in two different office buildings in the House. Working in the Rayburn House Office Building, a beautiful new building, there is plenty of room.

I think we would all like bigger space, but is that something we want to be spending money on this year, given our current economic environment and the fact that we just got through funding the new Congressional Visitor Center, which was massively over budget?

But more important than some of these spending items are the policy concerns. These are the areas of the bill that certainly Republicans would not have agreed to as part of the process: School Choice for the District of Columbia. This bill effectively eliminates the School Choice Program by prohibiting any student from participating in the program after the 2009–2010 school year unless Congress reauthorizes the program and the DC Council approves the bill. So you are setting up two big roadblocks to the continuation of what has been a very popular program for folks in the District of Columbia.

A provision on greenhouse gas emissions. This bill, with this provision, taxes a large step toward allowing the Endangered Species Act to literally be used to regulate greenhouse gas emissions, although it was obviously never intended for that purpose.

Specifically, it allows the Interior Department to withdraw two specific Endangered Species Act rules within 60 days of enactment without any public notice or comment. The practical effect of this rule withdrawal is that any acts that increase carbon dioxide or greenhouse gas emissions, which means almost anything we do, since, of course, we breathe carbon dioxide, would be subject to a lawsuit if it did not first consult the U.S. Fish and Wildlife Service on mitigation against potential impacts of climate change and harm to polar bears. That is the specific rule we are talking about.

Examples of actions subject would include construction projects, energy production, agricultural practices, to name a few. This is a radical departure from anything we have done in the past. It is a policy change that most Republicans simply cannot agree with.

There is something called nominal drug pricing, which would allow Planned Parenthood and other organizations to buy certain drugs for nominal prices and then resell those drugs at a profit. This is not what they are in business to do.

There is a very controversial section on family travel to Cuba. Section 620 and 621 of the Financial Services Division weakens the existing travel restrictions to Cuba. Now, that is the kind of serious policy which we need to have a serious policy debate about in this Congress. Is that the kind of thing we want to include in this appropriations bill? I think not.

The so-called Kemp-Kasten: Section 7079(b). This is a section we have had in the law forever. This particular section includes language which would undermine this longstanding Kemp-Kasten language. I said ''forever.'' It has been since 1984. It is a provision that denies Federal funding for organizations that are involved with coercive abortions. While the Kemp-Kasten provisions are still intact in the omnibus, an exemption is created for a very important organization, the U.S. Population Fund or the UNFPA, which is a controversial program that the United States has not funded in the past due to its past involvement with China's one-child policy. Again, it is a very important change in policy. If we are going to do things such as that, we should debate it on the floor of the House and Senate and make a decision, not just fold them into an appropriations bill.

Finally, we hear a lot on the earmarks these days. I was surprised to learn this bill includes earmarks totalling about $7.7 billion, 8,750 earmarks, allegedly. Nobody argues that every single expenditure Congress directs is inappropriate, especially if they have already been authorized. But I suspect that in these 8,750 earmarks, there is an awful lot that does not represent authorized spending by the Congress.

I would note that the three security-related appropriations bills enacted last fall added another $6.6 billion in earmarks, which would bring the total

in this bill to $14.3 billion in disclosed earmarks. That is not acceptable.

The President supported an amendment to the budget resolution for 2009, the so-called DeMint amendment, with Senator MCCAIN and Senator Clinton, to establish an earmark moratorium for fiscal year 2009. The vote on that failed 29 to 71. But I would hope the President, as a result of his position on this, would weigh in.

Finally, I mentioned in the very beginning the process, how we got to this point. Why are we considering, after a recordbreaking stimulus bill of over $1 trillion, why are we passing another appropriations bill now, before we have done a budget for this year and before we do the appropriations bills for the coming year? Well, it is because last year the Congress did not fund the entire year of Federal agency funding. Congress only funded the first 6 months.

Some people like to blame President Bush for this. President Bush had nothing to do with it. He was the President. He does not write the appropriations bills. He does not pass the appropriations bills in the Congress. I really think, as I said, it was a combination of factors.

For one thing, some bills, at least one that I know—well, two—the Interior bill and the legislative branch bill—were never passed out of committee. President Bush had nothing to do with that. It is a failure of Congress to get these bills passed out of the committee. Remember that the Interior bill never got out of Committee in either the House or Senate because the majority was worried about taking the offshore drilling, the so-called oil shale and OCS oil exploration and drilling votes.

That bill got out of neither committee. It had nothing to do with the President. Given the delay in bringing the omnibus bill to the floor; in other words, waiting until the very week in which the resolution that funded the first half of the Government expires, we are clearly taking a chance that either we are going to rush through this and not give it appropriate time or we are going to have a continuing resolution of at least some length of time. I presume it should not have to be for very long, but I would find it very doubtful that we could pass this bill, especially with the other things we have to do tomorrow, before the end of Thursday evening of this week. So there will be a lot of amendments, obviously, proposed to it. I think we should expect right now we will have to at least extend for a few days the funding for the second half of the year.

My own thought would be we should actually have something like a continuing resolution for the remainder of the year, especially if the price for not doing that is to adopt these many policy changes which are serious, significant, and require a lot more debate on the Senate floor than simply having been included in an appropriations bill, that would not enable them to get the kind of debate that I think ordinarily would attend to them.

This is the outline of the bill we have before us. Obviously, we are going to have a lot of amendments to it. Some will deal with the amounts of money in the bill, others will deal with the policy that is embedded in the bill. I hope my colleagues on both sides of the aisle would be willing to allow this debate, a fulsome debate, with the amendments that need to be offered, in order to conclude the bill in a responsible fashion.

Mr. INOUYE. Madam 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. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

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

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

PEACEFUL REUNIFICATION OF CYPRUS

Mr. DURBIN. Madam President, in the last few decades we have seen historic changes around the world—the end of apartheid in South Africa, the peaceful collapse of the Soviet Union, the dismantling of the Berlin Wall, a wave of democratization across Eastern Europe and Latin America. My mother's homeland, her land of birth, the country of Lithuania, was once occupied by Nazis and then the Soviets. Today, it is a free, prosperous, democratic nation. These have all been moments of hope and inspiration. Yet, sadly, despite so much progress, we continue to be challenged by a number of longstanding internal conflicts in different corners of the world. From Sudan, to Kashmir, to Sri Lanka, internal divisions in the historical grievances have led to divided people and unnecessary human suffering.

Recently, during the Presidents Day break 2 weeks ago, I had the opportunity to visit one such impasse that today shows at least the promise for resolution—the island of Cyprus. U.N. peacekeepers first came to Cyprus in 1964 due to intercommunal fighting. Since 1974, Cyprus has been divided into the government-controlled two-thirds of the island and the remaining one-third of the island which is administered by Turkish Cypriots. The Republic of Cyprus, which joined the European Union in 2004, continues to be the only internationally recognized government on the island.

Tragically, Cyprus has been divided now for more than 30 years, with the U.N. buffer zone separating the entire island, the so-called green line. Violence today is rare, thank goodness, but the long-term impacts of the separation are stark—displaced people, memories of family members killed in earlier violence, and lost property rights. Quite simply, a people who share a common island have been unnecessarily divided for far too long.

In recent years, a number of important steps have been taken to improve relations toward eventual reunification. Crossing points between the two sides have opened. Thousands of people pass peacefully between the two sides of the island without incident.

A Committee on Missing Persons comprised of scientists from both the Turkish and Greek Cypriot communities has been established. Of all the things we visited during the course of the 48 hours, an intensive visitation on the island of Cyprus, it is a cruel irony that one of the most hopeful was this Committee on Missing Persons. This is what they do. They have identified some 2,000 missing people, in some 40 years or more, 1,500 on the Greek side, 500 on the Turkish side, and they are trying to find the remains of their loved ones who have been gone for so long. They take DNA samples from all members of the family, and then they wait for anonymous, confidential reports of grave sites. They send their archeologists out to excavate the grave sites, bring the skeletal remains into a laboratory, where scientists, both Turkish and Greek, try to reassemble skeletons and then take DNA samples and link them with families who reported missing persons. So far, over 130 of those missing persons have been identified. They have been brought back to their families. There has been a moment of closure and peace.

One would think, because these people disappeared in the most tumultuous and violent times, that, in fact, this would be another excuse, another opportunity for exploitation politically. But it doesn't happen. These families, after waiting for decades, have finally come to closure with the death of their loved one and really want to look forward. It is a very sober and dignified program and one that gives me some hope for this island, that people whose lives have been touched with violence can still find their way to peaceful resolution in their own minds when they finally are given the remains of someone they love. Thus far, no politician has taken advantage of these identifications to further more division or mistrust.

Most importantly, today there are two leaders who are extraordinary. Demetris Christofias is the President of the Republic of Cyprus. Mehmet Ali Talat leads the other side of the island on the Turkish side. They are engaged in serious negotiations to reunify the island. I had a chance to meet with both of them, speak to them at length. At great political risk, they are sitting down to try to work out their difficulties. They need help. They need the support of the Greek and Turkish Governments because although they may not have a direct presence—in the case of Turkey, their troops are there, and there is a direct presence—there is a community of interest between the

Turkish Cypriots and Turkey and the Greek Cypriots and Greece. The support of those two nations can be very helpful in bringing the peaceful reunification of the island.

Christofias and Ali Talat are friends. They have made a peaceful and lasting agreement, or at least they have worked for one which unifies the island their top priority, and it should be one we encourage and support. Their efforts are brave and forward-thinking. They are to be commended for working to make history for the people of Cyprus.

While the negotiations are a Cypriot-led process, the United Nations has a representative and special adviser, Alexander Downer, whom I met with and who is trying to find ways to bring the two sides together. He is an important symbol of the world's interest in the effort to find lasting peace on the island. We need to support his work.

After visiting Cyprus, I had the opportunity to visit both Greece and Turkey, two key NATO allies and friends of the United States. I was heartened there by leaders in both countries expressing hope for the peaceful reunification of the island of Cyprus.

These are important and inspiring steps forward, but there is still a great deal to be done toward final agreement. Many issues still need to be negotiated, and there is room for more confidence-building measures such as the Committee on Missing Persons and the opening of more crossing points. I am also concerned that failure to reach some kind of agreement this year may result in missing one of the most hopeful, perhaps last great opportunities in recent times to reunify the island.

For more than a generation, the situation in Cyprus has left an island and a region divided. People have died. Families have been separated. There has been a great deal of pain inflicted on the people of this island.

Cyprus, Greece, and Turkey are all friends of the United States and important to the region. While this is a Cypriot-led process and negotiation, I wish to express my strong hope and support for the current negotiations to bring peaceful and enduring settlement to the island.

One of the last visits I made, as I left Turkey, was to stop in Istanbul and meet with the Ecumenical Patriarch, the leader of the Greek Orthodox church. The Patriarch represents a church that has been in Istanbul for 17 centuries. There are now about 5,000 Greek Orthodox left in Istanbul. It is a small and dwindling community. But Istanbul as a city has a great symbolic importance to the patriarch and his church. He told me one of his highest priorities was the closing of the Halki Seminary 38 years ago. I told him I would reach out to the Turkish side in the hopes that they would meet with the patriarch and reopen discussions about this issue. I recently spoke to Secretary of State Hillary Clinton about this as well. I know she is headed to the Middle East. I hope she will raise it.

This gentle man, the Ecumenical Patriarch, is asking for a chance for a seminary class so that his priests and bishops can be trained and prepared for the priesthood and for the hierarchy of his church. It is not an unreasonable request. I hope there is a way we can find within the constitution, within the laws, within the treaties involving Turkey to give them this opportunity. This gentle man, who prays for peace every day, should be rewarded with the reopening of his seminary. I hope the leaders of Turkey in Ankara, who were kind enough to meet with me, will find a way after decades to reopen these negotiations.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

REALITIES IN CUBA

Mr. MENENDEZ. Madam President, there will be parts of my comments that, for historical purposes, will be said in Spanish, and then I will translate them into English, so I ask unanimous consent that be permitted.

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

Mr. MENENDEZ. Madam President, February 16 of this year marked 50 years since the revolution in Cuba that brought Fidel Castro and his brother, Raul, to power. Some have used this anniversary as an opportunity to put forth some romantic views of the revolution. So I have come to the floor to talk about the realities of the situation in Cuba. The reality is that this golden anniversary for the Castros is an impoverished anniversary for the rest of the country.

Over the course of 50 years, the tides of romanticism have come and gone, but they have always crashed hard against the rocks of reality. All the pictures of Che Guevara on T-shirts cannot hide the brutality of the declaration he made before the United Nations in 1964. He said then:

hemos fusilado, fusilamos y seguiremos fusilando mientras sea necesario—

Translated that means:

[W]e have executed people, we execute people now and we will continue executing people for as long as we deem necessary.

No words better sum up the character of the revolution. The Cuban regime has bent and gilded the spirit of their people over a rotten core of brutality, depravation, and fear.

Here are the realities of the last five decades on the island:

According to the Free Society Project of the Cuban Archive, which has verification for every case, the number of people the regime has murdered or abducted numbers in the thousands, if not the tens of thousands. Hundreds of thousands of children have been separated from their parents. Millions of men, women, and young people have been forced into the fields to cut sugarcane and perform other hard labor against their will.

Here are the realities of Cuba today:

The Government is, pure and simple, a brutal dictatorship. Every now and then, the regime stages meaningless elections with 609 candidates, all 609 chosen by the regime, vying for only 609 seats in a National Assembly that does not do anything without the approval of the Castro brothers.

Despite fertile soil and perfect climate, as well as significant financial assistance, access to food is tightly rationed. The average Cuban worker lives on an income of less than $1 a day.

World Bank statistics show that fewer people have telephones, televisions, computers, and cars than in almost any other country in Latin America. The regime makes sure as few people as possible can use the Internet, so that the percentage of people who have access in Cuba is less than in Haiti.

The regime's claims about great progress in health care and education are immediately undermined by the costs paid—in lives lost, economic opportunities stolen, and freedoms denied. The island was not rich in 1959. Yet Cubans have fewer opportunities to get ahead than they did 50 years ago.

Across a wide variety of indicators of human development, Cuba has watched other countries in Latin America make similar or even greater gains. This poverty has an enormous cost. The widespread desperation of families has forced far too many young girls and boys into becoming sex workers, even though defenders of the revolution constantly cite the elimination of prostitution as one of its supposed accomplishments. In fact, a few years ago, Cuba was listed by Voyeur Magazine as the sex tourism hotspot of the world. So much for that success of the revolution of eliminating prostitution.

The Castro revolution has been most adept not at spreading education and prosperity but at instilling penetrating fear and terror, perpetuating their own power through a Stalinist police state.

The Cuban security forces were trained to torture by the dreaded Stasi of East Germany and carry on that legacy today. If you doubt that, ask Senator MCCAIN about one of his torturers in Vietnam, a Cuban agent.

The world has expressed outrage at the treatment of detainees in the prison at Guantanamo Bay, and President Obama announced he would close it within a year. When the news of that decision reached Juan Carlos Herrera Acosta, who has spent more than 6 years in jail for his political views, he said:

¿Cuándo el mundo abrirá sus ojos y dirá que hay que cerrar los otros guantánamos que existen en Cuba?

Translated that means:

When will the world open its eyes and say that it's time to close the other Guantanamos in Cuba?

There is no excuse for turning a blind eye to the 300 other prisons on the island, prisons that make Guantanamo Bay look tame by comparison.

Armando Valladares, who wrote the prize-winning book ''Against All

Hope,'' was imprisoned in the infamous Isla de Pinos in 1960 for his opposition to communism. He lived through the hell of Castro's jail, suffering violence, forced labor, and solitary confinement.

His writings were smuggled out, read throughout the world, and he was finally released after intense international pressure, 22 years after he was taken prisoner. Here are some of his memories of his captivity:

I recall the two sergeants, Porfirio and Matanzas, plunging their bayonets into Ernesto Diaz Madruga's body. . . . Boitel, denied water, after more than fifty days on a hunger strike, because Castro wanted him dead; Clara, Boitel's poor mother, beaten by Lieutenant Abad in a Political Police station just because she wanted to find out where her son was buried. . . . Officers . . . threatened family members if they cried at a funeral.

I remember Estebita and Piri dying in blackout cells, the victims of biological experimentation. . . . So many others murdered in the forced-labor fields, quarries and camps. A legion of specters, naked, crippled, hobbling and crawling through my mind, and the hundreds of men mutilated in the horrifying searches [they went through].

Eduardo Capote's fingers chopped off by a machete. Concentration camps, tortures, women beaten. . . .

And in the midst of that apocalyptic vision of the most dreadful and horrifying moments in my life, in the midst of the gray, ashy dust and the orgy of beatings and blood, prisoners beaten to the ground, a man emerged, the skeletal figure of a man wasted by hunger with white hair, blazing blue eyes, and a heart overflowing with love, raising his arms to the invisible heaven and pleading for mercy for his executioners.

''Forgive them, Father, for they know not what they do.'' And a burst of machine-gun fire ripping open his chest.

Those are Armando Valladares' live memories of the 22 years he spent in Castro's jails.

This has been going on since 1959, but, unfortunately, it is not a thing of the past.

In 2003, armed security forces raided 22 libraries and sent 14 librarians to jail with terms of up to 26 years in prison, simply because they established a library in their community. Oh how dreadful is the power of a book that could cause those people who created libraries to spend a quarter of a century in prison.

That year, it rounded up 75 journalists, human rights activists and opposition leaders and gave them summary trials and sent them to jail for up to 28 years.

To put a human face on this, because sometimes we talk about dictatorships and the consequences of their actions and we talk about people in mass numbers—but these are the faces: Oswaldo Paya; Marta Beatriz Roque; Oscar Espinosa Chepe; Armando Valladares, whom I quoted; and others who actually languish inside the jails in Cuba and who have been beaten and/or who ultimately have been harassed in the pursuit of peaceful civil society movements.

In 2003, Fidel Castro ordered one of the most sweeping, brutal crackdowns on opposition figures in years—a roundup of 75 dissidents and their summary trials.

In that black spring, his agents took away Marta Beatriz Roque. She is an economist, a leader of a group called the Assembly for Promoting Civil Society, a coalition of nongovernmental organizations dedicated to peaceful democratic change on the island. In 2003, she was sentenced to 20 years behind bars for the crime of wanting peaceful change, for the crime of speaking her mind.

In prison, her diabetes and blood pressure made her so ill that the regime let her leave her tiny cell. But they did not let her go far. Two years later, the Government sent a mob to attack her as she was traveling to meet a U.S. diplomat. They beat her. And when she tried to leave to get medical care, they trapped her in her home. She was 60 years old.

Now, every day of her life, she knows she could wake up and be thrown in a cell once more, left to die for the crime of thinking independent thoughts, for the crime of asking for change.

During the crackdown in the spring of 2003, Fidel Castro also arrested Dr. Oscar Elias Biscet. Dr. Biscet founded the Lawton Foundation for Human Rights, one of the first independent civic groups in Havana.

On February 27, 1999, he was arrested for hanging the national flag sideways at a press conference, and he was sentenced to 3 years in jail. He was protesting the forced abortions he was ordered to perform. After his release, he organized seminars on the Universal Declaration of Human Rights for Cubans. And he was arrested again in December of 2002 for organizing these seminars.

In April of 2003, he was sentenced to 25 years in jail and sent to a special state prison. I have, in the Chamber, this picture of his jail cell. His dark, damp cell is barely bigger than he is. In 2007, he was awarded the Presidential Medal of Freedom, the highest civilian honor this country gives to anyone. But he still has not won something far more important: his own freedom. He still languishes in a cell like this.

It is a myth that detentions of activists has dropped off since Raul Castro, Fidel Castro's brother, took power. More than 1,500 were rounded up last year, according to the Cuban Commission on Human Rights and National Reconciliation, an independent observer group. They may be released temporarily, but they are always subject to rearrest.

Multiple human rights organizations confirm that the Cuban regime is still holding more than 200 political prisoners whom we know of—independent journalists, economists, human rights workers, and doctors all jailed for speaking their minds.

In the United States, we saw an election last year that was all about a powerful call for change. The year before, 70 young Cuban youth were walking down the streets of Havana and detained simply for wearing a white wristband that has one simple word on it: ''CAMBIO''—''Change.'' All they did was wear a simple, white wristband to express what they wanted to see.

While in the United States, the mantra of change can get you elected to the Presidency of the United States. In Cuba, the mere suggestion of change can get you arrested. What an irony.

The dictatorship maintains a network of spies on every single block. It is called ''El Comite por la Defensa de la Revolucion.'' It is a block-watch organization in every city, in every village, in every hamlet. If they suspect you, first, you will find yourself quietly demoted at work. Then you will lose your job. You will wake up one morning and your house will be covered in graffiti calling your family worms. You will walk outside and four former friends will now spit in your path.

The case of Adolfo Fernandez Sainz could hardly be more representative. He is a journalist forced to spend 15 years of his life behind bars, in part for the crime of owning the novel by George Orwell, ''1984.'' Fifteen years of his life behind bars.

But the saddest proof that a country is operated like a prison is when people are shot trying to escape. It was a hallmark of Soviet Russia and East Germany, Communist Hungary and Czechoslovakia, but today the Caribbean is the Cuban's Berlin Wall. All boats and building materials belong to the State, so taking a shipment to the waters or even building a raft can be considered crimes, often punishable by death. Cuban planes have attacked ships from the air. The Cuban Navy has attacked ships from the sea, surrounding boats, sinking them, sending men, women, and children to the bottom of the ocean.

The Cuba Archive has documented almost 250 cases of assassinations as people fled, in addition to the countless thousands who have died at sea, either drowning or being killed by sharks. Those Florida Straits, as people searched for freedom, are the burial grounds of so many that we don't know.

Cubans know the risks, and yet they continue to seek freedom. Since 2005, the Washington Post cites the number who have fled to America or sought to flee to America at 80,000—some of the country's best and brightest, risking arrest and death, leaving under the cover of darkness. Since 1959, according to the Center for the Study of International Migrations, nearly 1.7 million Cubans have been forced into exile.

For those who cannot leave, there is another sign of despair on the island. The World Health Organization data reveals a sad fact: that Cuba has one of the highest suicide rates in the hemisphere.

For over five decades we have seen democracy take hold in every country on the Western Hemisphere but one—one island, suspended in the past, resisting the tide of history, its people

waiting for something to change. In 1962, the United States restricted commerce within travel to Cuba. It stands as a legal, political, and moral statement that we reject the dictatorship's abuses and it serves as a way to weaken the regime. At the beginning, it was embargoed in name only. U.S. foreign subsidiaries were allowed to freely commerce with Cuba and it wasn't until the mid-1980s that these loopholes were closed. The Cuba Democracy Act and later the Libertad Act caused the Cuban regime to downsize what had become the third largest military per capita in the Western Hemisphere. That was good for the Cuban people and good for the hemisphere because Castro could no longer send his troops to promote revolution and to destabilize Latin American countries.

But that came about not out of ideological change by the Castro brothers; it came about as a result of economic necessity. The U.S. dollar—the most hated symbol of the revolution and illegal to own for quite some time—is now eagerly sought by the regime, creating a divide in Cuba. It is a divide between those who have access to U.S. dollars from their families and can use them at state-run dollar stores with prices that gouge those Cubans—and millions who have no family to send them dollars and chafe at that disparity. They question a regime that doesn't allow the freedom to work at jobs such as tourism and others, that might give them access to those dollars. This conflict exists because these circumstances came about not as a change in Castro's ideology; they came about because of economic necessity. Economic necessity, not ideological change, further drove the regime to accept international investment—specifically, in tourism and mining—something that was also previously illegal. This has created resentment by Cubans who are sent to work at these establishments by a state employment agency; and where the Cuban who goes to work at these foreign companies, their labor is sent there, they have to go work there, they get paid in worthless Cuban pesos, while the state gets paid in dollars for their labor. They get a fraction of the cost of their labor.

In addition, foreign companies summarily fire workers without recourse and get new workers from the state employment agency—no questions asked. Cubans have been denied access to visit these hotels in their own country and now—only now—are they told they can do so if they can pay hundreds of dollars a night when they make less than a dollar a day.

Notwithstanding these economic challenges that have created pressure for change in Cuba, opponents of the embargo are quick to point out that it has been in place for many years and the Castros remain in power. They seem very confident that allowing more American money to flow into Cuba will magically topple the regime. The truth is their prediction about cause and effect runs completely contrary to what has actually happened there. Over the years, millions of Europeans, Canadians, Mexicans, South and Central Americans, among others, have visited Cuba, invested in Cuba, spent billions of dollars, signed trade agreements, and engaged politically. And what has been the result of all of that money and all of that engagement? The regime has not opened up; on the contrary, it has used resources to become more oppressive. Foreign funds often temporarily reach the hands of Cuban families, but they are then forced to spend those dollars in government-run dollar stores so that the money ultimately winds up in the hands of the Cuban Government and many suspect in the secret bank accounts of the Communist Party elite.

So allowing Americans to sit on beaches which Cubans cannot visit unless they work there; smoking a Cuban cigar for which a worker gets slave wages, sipping a Cuba libre, which is an oxymoron, will not bring the Cuban people their liberty. When the government isn't manipulating international aid, it sometimes rejects it altogether, as it did during last year's hurricane season, further punishing its people.

So I ask those who argue that lifting the economic embargo on Cuba means the demise of the Castro regime—nothing I would want to see more—why, then, has lifting the embargo been the No. 1 foreign policy objective of the Castro regime? Does it seek its own demise after 50 years? Certainly not. What it seeks is the economic viability to continue to perpetuate itself.

But beyond the practical realities, I think there is also a broader principle at stake. Now, as power has passed somewhat—because Fidel is still alive—from Fidel to Raul, from one dictator to another, are we to declare that their tyranny outlasted our will to resist it? When a murderer escapes the police and is a fugitive, do we declare them innocent after a few years because we haven't caught them? Should we suddenly say it is too much for the Cuban people to be able to decide for themselves what course their nation will take? Should we decide to suddenly legitimize the behavior of the regime and strengthen its ability to continue perpetuating crimes? Which one of the freedoms we seek for the Cuban people as a condition of our full engagement as a country are we willing to deny them? Which one—free speech, free association, freedom of religion, freedom to politically organize and elect their own leadership? Which one? Which one of those freedoms that we are willing to say to the Cuban people they cannot enjoy are we willing to give up?

I have also heard the suggestion from opponents of legal restrictions on Cuba that the United States has dealt with other brutal dictatorships more openly than this one. Those who make that argument must have a strange definition of a successful policy. If we consider prison camps and child labor, forced abortions and slavery, violent suppression of protest, Tiananmen Square, ethnic cleansing of Tibet, and denial of human rights, be it in China or anywhere around the world, anywhere these violations are happening, if we are willing to accept that as successful engagement, I believe we are deeply mistaken. The disregard of human rights violations for the sake of economic gain in the past is never an argument to do it again in the future.

A full and open discussion of the real situation in Cuba is timely for more reasons than the fiftieth anniversary of Castro's revolution. It is timely because in this Omnibus appropriations bill that we have before us there are some who have attempted to sneak in changes to our current policy. But perhaps the greatest irony of all is that this bill includes three important foreign policy changes with respect to Cuba that have not been subjected to debate in this body. They have not been questioned for their impact on both our national interests and our national security. They have not gone through the Foreign Relations Committee. They have not been subjected to a vote on the floor of either the House of Representatives or the Senate. These modifications deserve a full examination. They should be subjected to vigorous debate. We should gather evidence, bring a wide range of voices to the table, and make careful and thoughtful considerations of their implications. But this isn't what is taking place. Instead, this body is being asked to swallow these changes in the crudest process I can imagine: without analysis, without inclusion, and without debate.

Now, supporters of these modifications claimed that they are carrying them out in the hopes of fostering democratic change in Cuba, even as they do so in a way that silences democratic debate in our country. The United States cannot claim to be a model for democratic process and inclusive change if we find ourselves resorting to such undemocratic means. Jamming these foreign policy changes in an Omnibus appropriations package by a handful of Members at the exclusion of the rest of this body, not to mention the rest of the other body, and not to mention the executive branch, whose jurisdictions these changes fall within, is simply not democratic.

These changes come in the same week that the Senate Foreign Relations Committee's ranking member, and my very dear, distinguished colleague from Indiana, Senator LUGAR, produced a staff trip report. I have seen it quoted as the ''committee's report.'' It is the staff trip report, and I respect that it has some value, but it is not the full committee's undertaking and approval.

The memo suggests some of the very things we see in this omnibus. But instead, in my view of a responsible report, this document presents a loose

set of recommendations based upon a few days of observations on the island by a single source, and none of it quotes the fact that there was an engagement with one human rights activist, with one political dissident, with one democracy activist, with one independent journalist—not one.

Now I ask my colleagues: Does it make any sense that we would see such a basis for a report based upon what are clearly superficial observations, followed by sweeping and untested recommendations about how we should engage with the last totalitarian dictatorship in the Western Hemisphere? Let me point out a few of the main contradictions in that report.

First, the lack of focus on democracy and human rights in the memo was astonishing to me. In a literal and in a legal sense, support for Cuba's prodemocracy movement is at the core of United States policy toward Cuba. It is represented in law under the Cuban Liberty and Democratic Solidarity Act of 1996. The report doesn't even mention the centrality of representative democracy in United States policy toward Cuba and the entire hemisphere. By the same token, the memo does not even mention that the United States of America is the world's—the world's—largest provider of humanitarian assistance to the people of Cuba through both individual assistance and nongovernmental organizations.

This fact makes it indisputably clear: The focus of United States policy is the Cuban people—not its regime—advocating for their freedom and empowering them to bring change.

The way the memo addresses the economic situation on the island is no less of an enormous flaw. On the one hand, this memo claims that economic sanctions have been ineffective, but on the other hand, it says: ''Popular dissatisfaction with Cuba's economic situation is the regime's vulnerability.''

What a contradiction. But it would be even more of a contradiction for the United States to do anything to rescue the regime by improving its economic portion, therefore neutralizing its vulnerability. This report says that ''popular dissatisfaction [that people's dissatisfaction] with Cuba's economic situation is the regime's vulnerability.'' But it would be even more of a contradiction for the U.S. to do anything to rescue the regime by improving its economic fortunes, therefore neutralizing its vulnerability.

Yet that is exactly what one of the recommendations in the memo that is included in the omnibus would do. That suggested policy change would give the Cuban regime financial credit to purchase agricultural products from the United States. On its face, that would seem like a concession to American farmers. We certainly want to see American farmers sell all over the world. But let's think about this for a moment.

Anyone applying for even a small loan in our country right now has to undergo—if their credit record is poor, they would be rejected for that loan. Well, Cuba's credit history is horrible. The Paris Club of creditor nations recently announced that Cuba has failed to pay almost $30 billion in debt. Among poor nations, that is the worst credit record in the world. So I ask: If the Cuban Government has put off paying those it already owes $30 billion, why does anybody think it would meet new financial obligations to American farmers?

Considering the serious economic crisis we are facing right now, we need to focus on solutions for hard-working Americans, not subsidies for brutal dictatorships.

We should evaluate how to encourage the regime to allow a legitimate opening—not in terms of cell phones and hotel rooms that Cubans can't afford to own, but in terms of the right to organize, the right to think and speak what they believe.

However, what we are doing with this omnibus bill is far from evaluation. The process by which these changes have been forced upon this body is so deeply offensive to me and so deeply undemocratic that it puts the Omnibus appropriations package in jeopardy, despite all the other tremendously important funding this bill would provide.

The real reason why so many—and we have seen this barrage of reports that come particularly from outside of this body, whose work, by the way, is often subsidized by business interests—advocate Cuba policy change is about money and commerce; it is not about freedom and democracy.

It makes me wonder why those who spend hours and hours in Havana listening to Fidel Castro's soliloquies cannot find minutes for human rights and democracy advocates. It makes me wonder why those who go and enjoy the sun of Cuba will not shine the light of freedom on its jails full of political prisoners. It makes me wonder how they advocate for labor rights in the United States but are willing to accept forced labor in Cuba. They talk about democracy in Burma, but they are willing to sip rum with Cuba's dictators.

There is another report that came out last week, which I hope this body does not vote on the omnibus bill without reading. It is the State Department's 2008 Human Rights Report. I want to read from it at length, in case my colleagues don't have the opportunity. It says, referring to Cuba's human rights situation:

> The government continued to deny its citizens their basic human rights and committed numerous, serious abuses. The government denied citizens the right to change their government. . . . As many as 5,000 citizens served sentences for ''dangerousness,'' without being charged with any specific crime. The following human rights problems were reported: beatings and abuse of detainees and prisoners, including human rights activists, carried out with impunity; harsh and life-threatening prison conditions, including denial of medical care; harassment, beatings, and threats against political opponents by government-recruited mobs, police, and State security officials; arbitrary arrest and detention of human rights advocates and members of independent professional organizations; denials of fair trials; and interference with privacy, including pervasive monitoring of all private communications.

It goes on to say:

> There were also severe limitations on freedom of speech and press; denial of peaceful assembly and association; restrictions on freedom of movement, including selective denial of exit permits to citizens and the forcible removal of persons from Havana to their hometowns; restrictions on freedom of religion; and refusal to recognize domestic human rights groups or permit them to function legally. Discrimination against persons of African descent, domestic violence, underage prostitution, trafficking in persons, and severe restrictions on worker rights, including the right to form independent unions, were also a problem.

That is the end of the quote from the latest State Department Report on Human Rights—in this case talking about Cuba.

President Obama often repeats what Martin Luther King understood—that injustice anywhere is a threat to justice everywhere. The people of Cuba have never given up on their aspirations for democracy and economic freedom. Now is not the time to give up on them. Because we can't do everything doesn't mean we should not do everything we can.

A new American President does mean an opportunity for change. President Obama, who saw repression in Indonesia when he was a child, promises us this. He said this in a speech in Florida as a candidate:

> My policy toward Cuba will be guided by one word: libertad [that means freedom]. And the road to freedom for all Cubans must begin with justice for Cuba's political prisoners, the rights of free speech, a free press and freedom of assembly; and it must lead to elections that are free and fair.

So here is what I think we can do to help that happen. Much has been written about seeking change in our policy. Let me offer some changes as well, as someone who has followed this his whole life.

In exchange for more liberal remittances to Cuban families, let us insist that the Cuban regime not charge 20 percent of every dollar sent to Cuba. Say I have family in Cuba and I want to send them money to help them out in desperate times, and I send them $100. The Cuban regime takes $20 of that. Why? If you go to Western Union and send money anyplace in the world, it's maybe 3, 4, or 5 percent—not 20. The regime is taking money for itself, denying Cuban families the very opportunity to have more.

Let us also allow remittances, via license, to human rights activists, democracy activists, and other civil society advocates.

Some suggest that there be cooperation with Cuba on narcotics trafficking. Well, let them hand over the 200 fugitives from the United States that the FBI knows are in Cuba, including JoAnne Chesimard, the convicted killer of New Jersey State

Trooper Werner Foerster. Let her come back to the United States and face justice. There are 200 of them.

In exchange for more frequent visits from Cuban-American families who bring money and resources to the island, let us insist that the Cuban regime permit those who want to travel to Cuba and visit human rights activists, democracy activists, independent journalists, and other civil society advocates, be given visas as well.

Today, Members of Congress and others who want to promote democracy and human rights in Cuba, as we do in organizations throughout the world, are routinely denied entrance into Cuba. Those who want to sit with Castro and let him speak for hours about the revolution get a visa. Those who want to go talk to these people in the photos, who languish inside either Cuba's jails or are detained in their homes and are struggling to create democracy, no, you cannot get a visa. They are happy to accept those who bring dollars but not those who speak truth to power.

Let us have the United States offer more visitor and student visas for eligible Cubans to come to the United States to see and live our way of life. Having Americans travel to Cuba could never be as powerful as having Cuban youth see the greatness of our country and its pluralistic, diverse representative democracy. That taste of freedom would be infectious.

In return, we simply seek a commitment from Cuba to accept their citizens' return, and to guarantee the issuance of exit permits for all qualified migrants.

Cuba is one of the few countries in the world that will not permit its citizens to travel even when they have a legitimate visa to do so. And when they give them license to leave, they must pay to do so.

If we want to facilitate the sales of food to Cuba, let us insist they be sold in open markets, available to all Cubans, without it being part of Castro's food rationing plan—a plan meant to further control the Cuban people.

For those who disagree with our policies toward Cuba, let them ask themselves:

What are they doing to promote democracy, human rights, and civil society in Cuba?

What are they doing to support Antunez, Oswaldo Paya, Marta Beatriz Roque, and Oscar Elias Biscet?

What are they doing to cast an international spotlight on Cuba's valiant human rights activists, Cuba's equivalents of Aleksandr Solzhenitsyn, Vaclav Havel, or Lech Walesa?

Do they sit back as they languish in jail or are harassed or do they invite them to their embassies in Cuba, to speak in their countries about their struggles for freedom? Do they raise the issue of human rights in Cuba with the Castro regime? Do they cast a spotlight on these people, as we did in Poland with Lech Walesa, or in the former Czechoslovakia with Vaclav Havel, and with Solzhenitsyn?

In pursuing any proposal or policy change, we have to recognize, as President Obama made clear to repressive regimes throughout the world in his inaugural address, that we extend a hand if they are willing to unclench their fist. However, if the omnibus bill is signed by the President as is, he will be extending a hand while the Castro regime maintains its iron-handed clenched fist.

During his Presidential campaign, then-Senator Obama promised this. He said:

> I will maintain the embargo. It provides us with the leverage to present the regime with a clear choice: If you take significant steps toward democracy, beginning with the freeing of all political prisoners, we will take steps to begin normalizing relations.

He said:

> That's the way to bring about real change in Cuba—through strong, smart and principled diplomacy.

That was the policy that Americans understood he would pursue when they voted for him.

I believed then that Candidate Obama meant what he said, and I believe now that President Obama intends to remain true to his word.

Following our conscience and our laws, we simply cannot let up our pressure on the regime without seeing symbols of progress.

The United States and the international community must continue to work diligently to help bring freedom to Cuba. But we cannot forget how many valiant efforts have come within Cuba itself, how decades of fear and repression have also led to acts of courage. I stand here today in solidarity with all of those brave Cubans who have sacrificed and shown remarkable courage so that one day the Cuban people will finally know the basic blessings of liberty that we are entitled to as human beings and that we in this Nation enjoy.

Just days ago, 130 Cubans kept vigil outside of the Placetas Hospital, waiting for news about the condition of a young activist, Iris Tamara Perez Aguilara, who had gone into hypoglycemic shock after a hunger strike to protest the regime.

This is not the best picture, but it is what we got out of Cuba. It is a picture of some of them talking about:

In this home live those who are having a hunger strike for peaceful change and for respect for human rights and specifically talking against the torture of one of their colleagues.

She has been joined in her hunger strike by her husband Jorge Luis Garcia Perez ''Antunez,'' along with Segundo Rey Cabrera and Diosiris Santana Perez. They have avowed to continue their protest until the torture of political prisoner Mario Alberto Perez Aguilera, held at the Santa Clara Provincial Prison, ceases immediately. They will continue their protest until he is taken out of a tiny solitary confinement cell, until he is no longer beaten and forced to starve, until the regime allows Antunez's sister, Caridad Garcia Perez, to rebuild her home destroyed by the hurricanes last year, which they have not allowed as further punishment to these activists.

Imagine that: Your home is lost in a hurricane. You want to rebuild it, and the regime stops you from being able to rebuild the home as further punishment because of your peaceful efforts to try to create change and respect for human rights in the country.

When Iris emerged from the hospital the other day, the Cuban citizens waiting outside surrounded her to express their thanks and support for what she was doing. They hoped she would keep up her work for an organization named after an American pioneer they deeply admire. It is called the el Movimiento Feminista de Derechos Civiles Rosa Parks—the Rosa Parks women's civil rights movement.

The hundreds of political prisoners and all Cubans who live with the daily chains of political repression have shown their commitment that Cuba will change, and this change will come from within, from the Cuban people. But they need our help. We must continue to fight here to do what we can to empower them. We must continue to acknowledge them when they empower themselves.

Let me close with what President Obama has quoted. He quoted Jose Marti who once wrote:

> It is not enough to come to the defense of freedom with epic and intermittent efforts when it is threatened at moments that appear critical. Every moment is critical for the defense of freedom.

This year, 50 years later, Cuba is still in the cold winter of poverty and oppression. But I hold up hope that people all around the world, and most importantly within Cuba itself, will use this remarkable moment and every moment, as they are doing, as these men and women are doing, to bring about a new birth of freedom, to rise up in a groundswell that will thaw the frost of tyranny and bring about a spring of hope and change—change the Cuban people can believe in, change that they are praying for.

I yield the floor.

The PRESIDING OFFICER (Mr. WARNER). The majority leader.

Mr. REID. Mr. President, before my friend leaves the floor, I have had the opportunity to listen to not all but 80 percent of what he said. I had meetings going on in my office, and I had not been able to watch it all.

As the distinguished Senator from New Jersey knows, I have locked arms with Congressman and now Senator from New Jersey for many years. In fact, my votes in years past have not always been in the majority, but they have always been something I felt comfortable doing and still feel comfortable doing.

I appreciate the statement made by my friend from New Jersey. I am committed to work with him to see what

we can do to resolve the injustice that is taking place 90 miles off the shore of America and, once and for all, give those people who live in Las Vegas—people do not realize the largest number of Cuban Americans live in Florida, next is New Jersey, and, surprisingly, next is Nevada.

I worked with my friends there, Tony Alamo and many others, over the years to try to bring justice to an unjust system. I appreciate very much the statement made by my friend from New Jersey. I look forward to working with him on all other issues.

Mr. MENENDEZ. Mr. President, will the majority leader yield for a moment?

Mr. REID. Yes.

Mr. MENENDEZ. I wish to thank the distinguished majority leader for his longtime support for the Cuban people, for taking the votes and positions when it is not within the popular mainstream. And I appreciate his expression of support today as a continuation of that long history. He has my personal admiration. More importantly, those who are struggling for freedom and democracy inside Cuba appreciate it as well.

Mr. REID. Mr. President, Virginia, Nevada, New Jersey, and the other 47 States are well served by my friend from New Jersey.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, tomorrow I will rise to offer a pro-life and pro-child amendment to the fiscal year 2009 Omnibus Appropriations Act. But more than that, it will be an amendment that is profreedom that follows in the line of reasoning of my friend and my colleague from New Jersey. It is anti-oppression, prowoman and anticoercion.

My amendment tomorrow will restore the Kemp-Kasten anticoercion population control provision that has been a fundamental part of our foreign policy for almost a quarter of a century.

Since 1985, the Kemp-Kasten provision has denied Federal funding to organizations or programs that, as determined by the President, support or participate in a program of coercive abortion or involuntary sterilization. Should my amendment be adopted, then President Obama would be able to make an official determination as to whether organizations engage in such coercive practices.

The Kemp-Kasten amendment has been included in appropriations bills without substantial changes for 23 years, until today. Perhaps at this point it would be helpful to my colleagues if I outlined the differences between the Mexico City policy and the Kemp-Kasten provision.

Already, as one of his very first acts as President, President Obama chose to nullify the so-called Mexico City policy. The Mexico City policy said the United States would not federally fund groups that promote or provide abortion as a method of family planning. According to a Gallup poll released last month, overturning this pro-life policy was the least popular of the President's actions in his first week in office. Only 35 percent supported funding groups that promote or provide abortions as a method of family planning, and 58 percent oppose this new Obama administration policy.

I disagreed with President Obama on his Mexico City policy. I think most Americans, frankly, disagree with President Obama on this Mexico City decision. I think most Americans would rather not spend taxpayer dollars on international organizations that promote abortion as a method of family planning.

Having said that, I am not surprised by the President's decision. He ran, frankly, as a pro-abortion candidate. Senator MCCAIN ran as a pro-life candidate. I think the decision in the election came down to other issues. Elections have consequences, but can we not all agree that forced abortion is wrong? Can we not all agree that coerced sterilization is wrong? That is what Kemp-Kasten has stood for for almost a quarter of a century.

Regardless of how Senators come down on the pro-life or pro-choice debate, can we not all at least agree on this one proposition, that the United Nations should not be able to spend American tax dollars on coercion in the name of family planning? That is the issue dealt with in Kemp-Kasten, and that is the only issue addressed in my amendment.

Here is what the bill language currently does. It purports to retain Kemp-Kasten, but then goes on to direct funds to the United Nations Population Fund ''notwithstanding any other provision of law.'' ''Notwithstanding any other provision of law''—these six words, in effect, nullify the Kemp-Kasten anticoercion provision. It is either contradictory or purposely deceptive that one portion of the omnibus bill purports to retain Kemp-Kasten while another paragraph has the real effect of gutting Kemp-Kasten.

One might inquire: Why does the majority party not trust a President of their own party to make a determination about whether U.N. funds are provided to coercive abortion programs? Surely a majority of this body does not favor funding UNFPA even if the organization is engaging in coercion. Surely we can all agree on that. Perhaps not.

The truth is, the U.N. Population Fund, UNFPA, has actively supported, comanaged, and whitewashed pervasive crimes against women in the guise of family planning. Just last year, the U.S. State Department found, once again, that the UNFPA violated the anticoercion provision of Kemp-Kasten and, accordingly, reprogrammed all funding originally earmarked to the UNFPA to other maternal health care and family planning projects.

The most recent State Department report on UNFPA activities in China shows that UNFPA funds are, indeed, funneled to Chinese agencies that coercively enforce the one-child policy.

What has changed in less than a year? Are we to believe that all these organizations have suddenly shifted their policies? This bill gives UNFPA a 25-percent funding increase and a deadly exception.

What has really changed is that we have a new administration with a pro-abortion agenda. I don't think coerced abortions were what the American people voted for last November. Creating this exception specifically for UNFPA makes a mockery of longstanding U.S. policy to protect human rights abroad. If we cannot stop the abuse in other parts of the globe, at the very least we should not be encouraging abuse with U.S. funds. We should be pressing the UNFPA to conform to human rights standards, instead of trying to change human rights standards to conform to the oppressive Chinese population control program.

By creating a loophole for UNFPA, we regrettably send a message to oppressive governments that coercive abortion is not a serious concern for American citizens. This message could not be further from the truth.

I urge my colleagues tomorrow to support the Wicker amendment and continue our longstanding policy against coercive abortion. Let's continue the time-honored Kemp-Kasten policy.

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. THUNE. 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. THUNE. Mr. President, I ask unanimous consent that two amendments that I have filed at the desk to H.R. 1105 be called up and made pending.

The PRESIDING OFFICER. Is there objection?

Mr. INOUYE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. THUNE. Thank you, Mr. President. If I might speak to one or both of these amendments, one in particular right now that I would like to reference, let me start by saying that H.R. 1105, which is under consideration now by the Senate, is yet another voluminous document, not unlike the stimulus bill we considered a couple of weeks ago. This one actually is 1,122 pages long and represents over $400 billion of spending by our Government. The fact that it is this long and represents several hundred million dollars per page here of spending would suggest that it ought to be legislation that is given a lot of consideration in the Senate, on which many amendments can be offered and different points of

view expressed. It would appear that process is going to be short-circuited on this bill and that we are not going to have the opportunity to offer amendments to it.

With regard to the general bill itself, I would simply point out what a number of my colleagues already have; that is, this appropriations bill, although having passed a trillion-dollar stimulus bill a couple of weeks ago, still represents over an 8-percent increase over the previous year's level.

So 2009, fiscal year 2009, which we are currently in, this is work that did not get completed last year by September 30, which is the end of the fiscal year. So we passed a continuing resolution that expires on March 6; therefore, the reason we have to be before the Senate trying to pass nine appropriations bills that were not completed in the form of this 1,122-page Omnibus appropriations bill. But an 8.3-percent increase over the same nine appropriations bills that were passed last fiscal year, after having already passed over $1 trillion in the stimulus bill, much of which will be directed to the agencies that will receive the plussed-up funding under this bill. But over 8 percent is more than twice the rate of inflation. So having passed a trillion-dollar stimulus bill, we are now coming on the heels of that and taking up a piece of legislation that is going to increase Federal spending by over 8 percent over last year's spending level.

That would suggest that this is something we ought to take a little time with because many of the agencies that are funded under this appropriations bill already received huge infusions of new funding in the stimulus bill. The Labor, Health, and Human Services-Education bill, along with the stimulus bill, and the funding that is included in this bill, will receive a 99-percent increase in funding over last year. There is another appropriations account that will get a 150-percent increase over last year's appropriated level. These are gargantuan increases in funding.

It would seem to me that we ought to at least be able to bring this appropriations bill in at last year's level. There is going to be an amendment, perhaps one already offered by Senator MCCAIN, to extend the continuing resolution which would save taxpayers over $32 billion because that would represent the 8.3-percent increase that is included in this bill on top of all the additional funding that many of these agencies are going to receive as a result of the stimulus bill.

I regret the fact that the majority is not going to allow us to offer amendments to this bill. It would appear they want to move this quickly. I can see the rationale for that, when you are spending this amount of money in this short of a time period. The more the American people have an opportunity to see what is in it, the more concerned and the more resistance would build and you would see a tremendous at-the-grassroots level movement to try and stop this kind of spending spree we have seen in Washington. I would hope the process will be opened whereby Members on both sides can offer amendments to this bill that can be considered and perhaps voted on and maybe even bring some fiscal sanity to it by getting us back into a form that actually would save the American taxpayers a significant amount of money, after we have just asked the American taxpayers and our children and grandchildren to fund a stimulus bill to the tune of over $1 trillion with interest and much more than that, over $3 trillion, if much of the spending in that bill is continued and not terminated in the 2-year period for which it was intended.

I wanted to speak to an amendment that I have filed at the desk and asked to have made pending, which was objected to by the majority—again, an indication of how amendments are going to go on this piece of legislation. I offer this amendment because last week 87 Members of the Senate voted to uphold our first amendment rights by supporting a statutory prohibition of the so-called fairness doctrine. This amendment was accepted as part of the DC voting rights bill, which is currently awaiting action by the House of Representatives.

My concern is that once the House considers this bill, whenever it may be that the Senate and House versions get conferenced together, that provision will no longer be part of the final DC voting rights bill. I am hopeful the DeMint amendment is retained in the final version of the DC Voting Rights Act, but I am fearful it will be stripped out behind closed doors.

I filed an amendment at the desk to the Omnibus appropriations bill that would prohibit the FCC from using any funds to reinstate the fairness doctrine during the remainder of fiscal year 2009. If this amendment is accepted to the omnibus bill, the 87 Senators who last week supported this prohibition will have assurances that the fairness doctrine will not be reinstated for the remainder of this year, regardless of whether the DeMint amendment remains part of the DC voting rights legislation.

By way of background, many of my colleagues heard this discussion last week, but the so-called fairness doctrine has a long and infamous history. The FCC promulgated the fairness doctrine in 1949 to ensure that contrasting viewpoints would be presented on radio and television. In 1985, the FCC began repealing the doctrine after concluding that it actually had the opposite effect. They concluded then what we all know today: that the fairness doctrine resulted in broadcasters limiting coverage of controversial issues of public importance. Recently, many on the left have advocated reinstating the doctrine, arguing that broadcasters, including talk radio, should present both sides of any issue because they use the public airwaves. However, recent calls to reinstate the fairness doctrine fail to take into account several considerations.

The first is, in reality the fairness doctrine resulted in less, not more, broadcasting of issues of importance to the public. Because airing controversial issues subjected broadcasters to regulatory burdens and potentially severe liabilities, they simply made the rational choice not to air any such content at all.

Second, the number of radio and TV stations and the development of newer broadcast media such as cable and satellite TV and satellite radio have grown dramatically in the past 50 years. In 1949, there were 51 television and about 2,500 radio stations. In 1985, there were 1,200 television and 9,800 radio stations. Today there are nearly 1,800 television and nearly 14,000 radio stations. There is simply no scarcity to justify content regulation like the fairness doctrine.

The third observation is that the development of new media, social networking, and access to the Internet has changed media forever. Supporters of government-mandated balance either ignore the multiple new sources of media or reveal their true intention, which is to regulate content of all forms of communication and ultimately stifle certain viewpoints on certain media such as talk radio.

The fourth observation I would make is this: Broadcast content is driven by consumer demand. Consumers of media show whether they are being served well by broadcasters when they choose either to tune in or turn off the programming that is being offered. The fairness doctrine runs counter to individual choice and freedom to choose what we listen to or see on the air or read on the Internet. The fairness doctrine should not be reinstated.

Last week, the Senate acted in a strong bipartisan manner in opposition to the fairness doctrine. What I am asking the Senate to do is to consider one additional measure to ensure that our first amendment rights are protected and that consumers have the freedom to choose what they see and hear over our airwaves. This amendment ensures that the FCC does not use any resources to reinstate the fairness doctrine through the end of the fiscal year until a more permanent solution can be reached through a statutory prohibition.

It is a very straightforward amendment and one that follows along the lines of the debate held last week. I wish I was confident that the prohibition on reinstatement of the fairness doctrine that was included last week in the DC voting rights bill would be retained in the conference with the House. I have reason to believe that will be stripped out, and this is one additional way in which this body can weigh in and ensure that the fairness doctrine is not reinstated, not put back into effect, and that American consumers have the freedom to choose

what they want to see and what they want to hear over our airwaves.

I hope at some point I will be able to get it pending, to perhaps have a vote on it. It would be unfortunate on a bill of this consequence and magnitude, when, again, we are talking about 1,122 pages of this legislation, all of which is spending another $400-some billion—$410 billion or thereabouts in additional spending on top of the $1 trillion stimulus passed a couple weeks ago—that we would have an opportunity at least to offer amendments, to debate amendments, to get amendments voted on, and this is one that I would like to have a vote on. It would certainly be my sincere hope that the majority at some point would open the door to those of us on both sides who would like to have amendments voted on which, frankly, could improve the bill. There will be others that will be offered and, hopefully, considered which will get at the overall size and cost of the bill which, as an 8.3-percent increase over last year's appropriated level, last year's spending level, a $32 billion increase over last year's level, is an enormous amount of money in light of all the spending that is going on around here.

I might mention as well, that is the largest 1-year hike in annual appropriated spending since the Carter administration. What we are talking about is 8 percent, over 8 percent, more than twice the rate of inflation, but also the largest 1-year hike in annual appropriated spending since the Carter administration. That is, again, on the heels of $1 trillion spent a couple of weeks earlier, much of which was directed at these very same agencies of Government that will receive funding under this 1,122-page bill.

We need to open this process. We need to be able to offer amendments. We need to get amendments voted on. It would certainly be my hope that would be the case.

I have one other amendment which I will speak to perhaps tomorrow which would move some money from one account to another to fund something that was a very important priority the Congress established last year during the PEPFAR debate. I offered, along with Senators DORGAN and KYL, Senator Clinton and a number of others, an amendment that carved a couple billion out of that $50 billion authorization for needs on Native American reservations; specifically directed to law enforcement, which is a security issue; to health care, which is something that is desperately lacking on many reservations; and at water development—all critical needs and all important priorities and things we ought to be concerned with.

I would move money from another account in this bill to actually provide funding for the authorization that Congress created as part of the PEPFAR bill a year ago. This ought to be a priority for the Congress. We are talking about spending this amount of money and funding all these various accounts and agencies. We certainly ought to find room to fund some of the priorities that were created as a result of the PEPFAR legislation.

I will be offering that amendment as well and will also be requesting that it be made pending and that we have an opportunity to vote on it. It would seem to me that many of the other amendments that Members on our side would like to offer, as well as Members on the other side would like to offer, ought to be able to be put before the Senate and voted upon in an attempt to try to make this bill stronger and better. We all have different ideas about how to make this a better bill. I hope the majority will allow us to do that.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes consideration of H.R. 1105 tomorrow, Tuesday, March 3, the time until 11:45 a.m. be for debate with respect to the McCain amendment No. 592, with the time equally divided and controlled between Senators INOUYE and MCCAIN or their designees, with no amendment in order to the amendment prior to a vote in relation to the amendment; that at 11:45 a.m., the Senate proceed to a vote in relation to the amendment No. 592.

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

Mr. REID. Mr. President, while I have two of my Republican colleagues on the floor, and others, of course, listening, I have been told by the Republican leadership there is a number of extremely important amendments from the minority's perspective. No. 1 is this amendment that Senator MCCAIN has offered. Another one that comes to my mind is one that a number of people on the other side of the aisle have talked about often, which would lower the amount of spending to the CR level. I do not how much money that is. So we are waiting for someone to offer that.

We heard a presentation made by Senator WICKER this afternoon that he has an abortion-related amendment. We understand Senator VITTER has an abortion-related amendment. I have had several conversations today with Dr. COBURN, and he has been very constructive in working with us in coming up with four amendments, none of which I like. But there are four amendments, and we are going to work our way through these, where people have ample time to talk about them, as soon as we can.

But I thought it was important, before we have our caucus tomorrow, to at least get this one amendment the minority feels very strongly about. We will work our way through this and see what happens tomorrow.

There is no end to amendments that could be offered on this bill. This is a very big bill. It is nine subcommittees. I hope everyone would focus on what would happen if we could pass this bill. It would be good for the institution. We could get back to a process where we do 12 individual appropriations bills. That would be so important because this is not the way to legislate, having these great big bills. We have done it in the last several years, and it is not in keeping with—I am no longer a member of the Appropriations Committee, but I was on the Appropriations Committee for a quarter of a century, or something like that. It is a wonderful committee. But it has not been doing the job it is supposed to do for this institution.

So I hope we, by the end of this week, can pass this omnibus bill. I want to make sure the minority has the opportunity to offer amendments. But as I have indicated, there will come a time sometime when we will have to stop amending and try to get the matter passed. But that will come at a later time.

Mr. THUNE. Mr. President, will the leader yield for a question?

Mr. REID. Mr. President, I am happy to.

Mr. THUNE. Mr. President, I will simply ask, through the Chair, if I might: The leader talked about being able to offer amendments. I have filed a couple amendments. Is there some point at which—you mentioned the one amendment you have an agreement on now that will be voted on tomorrow—where other amendments will be able to be made pending and voted on, that Members will be able to get their amendments actually—

Mr. REID. The answer, through the Chair to my friend from South Dakota, is, yes, we are going to try to get to as many amendments as we can. With a bill as complex as this, we cannot stack up endless amendments, so we are going to have to work out a process where if we stack amendments, they will have to be few in number. And ''few'' is in the eye of the beholder. But the answer to the Senator's question: There is no reason that I know of—I do not know the subject matter of the Senator's amendment or amendments—but I have no reason to believe that we should not be able to get to his amendment.

Mr. THUNE. I thank the Chair.

Mr. REID. The point I am trying to make is, we are not trying to avoid voting on tough amendments. I have outlined to you some pretty difficult amendments. Dr. COBURN did not think up his amendments riding the subway over from his office in one of the office buildings. A lot of thought has gone into his amendments, and they are very difficult amendments. I would like to avoid them, but I do not see any reason how I can do that. So in answer: I repeat, there will be time for amendments. It is just a question of when there will be enough time. Certainly tomorrow. And I hope we can work through these on Wednesday and have a better feel where we need to go.

Mr. THUNE. Through the Chair, I thank the leader for his answer. And I will be available. Mine are filed, and I would love to get them actually up.

Mr. ALEXANDER. Mr. President, I understand the majority leader may want to close, and I am happy to wait until he does, if he wishes.

Mr. REID. Mr. President, I have been told we can do what we call wrap-up. It will take a minute or two. If my friend from Tennessee would withhold, we will rip right through this.

Mr. ALEXANDER. Mr. President, I will be delighted.

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

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

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

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

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

I am writing to you to help you see the impact that the recent rise in energy costs in this country has done to my family and many other hard working, middle class families in this great State. My wife of ten years and I have been blessed with four wonderful children and have chosen Idaho like our fathers before us as the place we want to raise our children. We love the outdoor recreation that this area affords us. We like to camp and enjoy many motorized recreational activities. We also live in an area where driving is needed for my employment and necessary for everyday survival. Idaho does not have a large amount of public transportation. Our population base does not support it. With many kids I drive a Suburban which is out of necessity, not indulgence as many may think. We need the four-wheel drive for our winters here and the room for all of our children. It is a great way to have one vehicle for all seasons.

Please begin to drill offshore and in ANWR right away. I believe that with increased production and additional refineries we can make a lasting positive effect on the supplies of oil and gasoline in this country for generations to come. I also plead with you to build more nuclear plants which offer the most clean, high output energy we can produce. We are way behind in this area also considering other countries who generate most of their power with Nuclear Energy. I believe we should take care of our own needs and when I hear that we have more oil reserves than all of the Middle East combined I feel as though our enemies are within not without. If Congress is waiting for a time to act on this, it is now. If our reserves are available and silly legislation is keeping us from them, we need a new group of leaders who are willing to protect the interests of U.S. citizens over all else. Our country is strong but we need affordable energy to stay ahead of the game. I do not mean subsidized energy, for that will only be paid in taxes instead of at the pump. Increase the supplies and sell it to us, and restrict sales to other outside countries. Allow less regulation on refineries, and drilling rigs to promote U.S. companies involvement in increasing the supplies needed now.

SCOTT, *Idaho Falls*.

I do not need to tell you a story—they are all the same everywhere. We need to drill in the United States now. We are crippled by our own inaction. The longer we do nothing the longer there will be no relief in sight for high fuel and natural gas prices. We have not seen the worst I am sure. We also need to build oil refineries, nuclear power plants, liquefy coal and expand wind farms. We need to stop diverting precious farm land to ethanol production. Ethanol has turned out to be a huge, wasteful mistake. It uses far too many non-renewable resources to produce a gallon. The net effect is nothing in terms of reducing our dependence on foreign oil and look how it has affected the price of food and will continue to do so. To summarize: Drill here, drill now, pay less. Thank you sir for asking Idahoans for their opinion.

PAM, *Homedale*.

I listen every day to the news, telling me how much oil prices rose overnight and how much of an increase I will expect to see at the pump. Each time I hear a one cent or two cent rise, I panic. Not for myself, but for my family. My parents own a ranch in small town Idaho, where fuel prices exceed even our big city imaginations.

I wonder how they will afford to fill the tractors to plow fields to make the corn that our nation loves to consume. I wonder how they will be able to haul the cows to market in order to sell them for pennies, barely enough to cover the fuel of hauling them.

Then I hear the government saying they should switch from diesel trucks to smaller cars . . . I have never seen a hybrid that can pull a stock trailer with 12 cows. I hear the government say no more drilling in Alaska, yet they also say we will run out of oil soon. I listen to economists say that our economy is on the downfall. Gas prices rise, food prices rise, Idaho minimum wage stays the same, they continue to develop on the farmland that could provide food for cheaper prices. What are you doing in Washington that is helping middleman America? Nothing and, by doing so, you are killing the America dream one gas pump at a time.

You ask for opinions, but where's the change? By allowing oil companies to monopolize the industry, the American people have no way of overcoming the fuel shortage.

Ways you can help:

Open oil reserves in Alaska.

Put a price cap on the cost of fuel, forcing lower profit margins for big business oil companies.

Provide an incentive for creating alternate fuel sources that can meet the needs of ALL Americans (including farmers and ranchers).

Make hybrid cars more affordable and give incentives to those who want to purchase one.

Stop giving economic stimulus checks for $600 to the richest and only $300 to the poor/middleman. The middle American needs the $600 more than the person that made $30,000 last year.

TERRA.

The only real solution to high energy prices is to consume less. I am using less diesel myself by planning trips carefully, carpooling, walking and biking. I see many others in Boise doing the same. I support a higher federal tax on carbon-producing energy sources, with the revenue used to support rail shipping and travel and transit.

MARILEE, *Boise*.

Wow, it almost sounds like you are running a commercial for the oil and gas or the nuclear industry. Yes, energy price increases have hurt all Americans, but part of the blame lies with the oil/gas and nuclear industry as well as the average Joe, who have continued to buy gas-guzzling vehicles, buy huge homes that are 40–60 miles from their work location. The oil and gas industry has done little to expand capacity and have repeated huge profits in recent history.

I have a diesel pickup that rarely moves, only when pulling the horse trailer or hauling the flat bed trailer to move hay, etc. I use coupons at the store whenever possible because of the rising food costs, and we have cut back on going out to dinner, movies, etc.

But drilling oil in the Arctic or off the coast is not going to solve the problem; the Alaska Pipeline was supposed to solve the oil crises when it was built.

Every day I commute from Nampa to Boise. I wish I could find someone to commute with or work from home, but the work just does not allow it. But I know lots of people speeding done the highway, who are driving alone in their cars to the same work location, and Idaho has done virtually nothing to conserve fuel, no HOV lanes, no rapid transit, metered on ramps, fact is the Idaho legislature is doing everything they can to prevent finding ways to conserve previous recourses and the U.S. Congress has done little to help. Congress has repeatedly voted not to increase the average fuel economy of vehicles until recently or assist with mass transit projects. Our rail system is falling apart, and Congress is not helping. Moving products by rail is one of the most economical ways to move material.

Yes, we need to get a handle on high fuel prices, but the best way is to reduce demand. I would support limited drilling for oil and gas, and development of nuclear energy but relaxing regulations is not the way, we need to ensure lots of oversight to make sure it is done right. I have seen hundreds of dead migratory birds caught in oil overflow ponds at drilling sites. I have witnessed the mining industry use toxic waste product as a soil binder on county roads. I have seen companies contracted to build interstate highways steal sand and gravel from the U.S. government, so I have no faith in industry.

So, please, find a real solution that works. Thanks.

ROB, *Nampa*.

I am writing in regards to your request on how the energy prices have affected our