

what Secretary Rumsfeld told us. We are up to \$318 billion and counting. It is time that Secretary Rumsfeld and this administration start making some tough decisions about what they can cut out of the Pentagon's bloated annual budget in order to fund the war in Iraq.

Quite frankly, we know there is a lot of waste, fraud, and abuse going on in Iraq. It has to end. As long as we keep having emergency supplemental appropriations, we will never eliminate the waste, fraud, and abuse.

We all strongly support our troops. I will vote for this bill because it contains funding for the troops, for avian flu, and other items, but it is time that the war in Iraq only comes through the regular appropriations process. It is time for us to start getting our troops out of there by the end of this year.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Mississippi.

Mr. GREGG. Will the Senator yield?

Mr. COCHRAN. I am happy to yield to the Senator from New Hampshire.

Mr. GREGG. Will the Senator allow me to propound a unanimous consent request for the purpose of getting time? I ask unanimous consent that upon all time being yielded back or all time being used relative to the supplemental, that I be recognized for 15 minutes under morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HARKIN. Mr. President, may I ask what the unanimous consent request was? I couldn't hear.

The PRESIDING OFFICER. The Senator requested 15 minutes as in morning business at the conclusion of the debate on the supplemental.

Mr. HARKIN. I reserve the right, only if I could ask that the same 15 minutes be allotted to the ranking member of our Budget Committee, the Senator from North Dakota.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. I withdraw my request, then. I find that to be a request that has very little relevance.

The PRESIDING OFFICER. The request is withdrawn.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is not my intention to use all of the time available to this side. I have had no requests for speaking time for any Senator on our side on the conference report. So the disagreement can be obviated very quickly with my assurance that I am going to speak for no more than 3 or 4 minutes, and then I was going to yield back all the time remaining under this conference report under my control. I advised the Senator from New Hampshire of that. That is why he made the request, because it was not going to infringe on anybody's time, considering the order under which we are operating.

I will proceed to conclude the debate on the conference report and let everybody work out their differences on who speaks next and for how long.

I am pleased we were able to get a bipartisan agreement on this conference report. Senate conferees worked together, Republicans and Democrats, to identify the priorities, to have suggestions fully considered and fairly considered. I am proud of the work product of our Committee on Appropriations in the Senate. I am particularly grateful for the support of the distinguished Senator from West Virginia, who is the ranking member of the Committee on Appropriations. He cooperated in every respect in terms of scheduling hearings, working to make sure that our committee had all the facts we needed to proceed to making a decision on the President's request.

Our staff members are the very best. We are very fortunate in the Senate to have the benefit of the services of Keith Kennedy, who is staff director of the Appropriations Committee, and his counterpart on the other side, Terry Sauvain, is equally dutiful and dependable in his efforts on behalf of our committee. Chuck Keiffer managed much of the floor activity and was at the markup session that we had that ran way past midnight the night we were completing action on this conference report. He was very supportive of the efforts and the needs of our committee. Senator TED STEVENS, former chairman of the full committee, is chairman of the Defense Appropriations Subcommittee. He and his counterpart, DAN INOUE, are two of the finest Senators who have ever served in the Senate. Their responsibility was to deal with the request relating to defense issues. This was mainly a Defense appropriations request the President submitted for the war on terror. But there were other provisions as well related to that conflict and our effort to defend our security interests. There were State Department accounts involved. We had the benefit at the hearings of the Secretary of Defense, the Secretary of State, the Chairman of the Joint Chiefs of Staff, all talking about the needs for funding of our activities to protect our country's security.

The chairman of the subcommittee that has responsibility for those accounts in the State Department and foreign operations is MITCH MCCONNELL, who is a distinguished Senator from Kentucky and our assistant leader. He turned in yeoman work, along with his counterpart on the other side, PAT LEAHY of Vermont. These are examples of how the committee came together, Republicans and Democrats, and made the decisions that had to be made, negotiated hard and diligently with the House to work out differences between our two bills and considered every request the administration made of the Congress for these appropriations.

I want to single out two other subcommittee staff members. All of the clerks worked hard because almost every subcommittee had a role to play in shaping the final outcome. But on the Defense Subcommittee, Sid Ashworth, who is the clerk, Charlie Houy, who is the Democratic counterpart on that committee, are so dependable and so experienced and dedicated to their jobs, it reflects great credit on the Senate for people such as those I have mentioned today who worked so hard on this conference report. I am delighted to be associated with them and honored to chair the committee. They make my job so much more easy than could possibly be imagined because of their skill and their professionalism and the hard work they turned in to achieve the result we did, not just to pass this bill but to serve the interests of our country.

I am happy to recommend this conference report to the Senate. I yield back the remainder of the time available under the order.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, under the standing order, is not the Senate now to return to the annual authorization Defense bill?

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Levin (for Lautenberg) amendment No. 4205, to provide a temporary prohibition on an increase in copayments required under the retail pharmacy system of the pharmacy benefits program of the Department of Defense.

Warner amendment No. 4211, to name the CVN-78 aircraft carrier the USS Gerald Ford.

Mr. WARNER. Mr. President, we are ready to proceed. The work achieved yesterday resulted in unanimous acceptance of a bipartisan amendment sponsored by the Senator from Virginia and the joint leadership. We then proceeded to an amendment under an arrangement whereby the minority was able to offer an amendment by Senator LAUTENBERG. I had the opportunity to speak briefly with him this morning. There was some indication that he would be willing to accept a proposal I had to make a slight modification, in which case I would hope we could proceed to either an acceptance by voice vote or schedule a vote at a time so desired by the leadership of the Senate.

I assume at some point in time I will be able to obtain information on that

point. Absent that, I see my distinguished colleague, the Senator from Michigan. I was advising the Senate that the pending amendment is the Lautenberg amendment. On another committee where we were together in a markup session, there was some indication that he would be amenable to a modest modification to bring his amendment in parallel with what the committee had done. That is the pending business. We then turn to an amendment by the Senator from Virginia which I would like to discuss with my senior colleague in a minute or two before we turn to that. Unless there is a matter to address the Senate on, I would suggest we place a quorum call in for a few minutes.

Mr. LEVIN. If I may ask the Senator from Virginia, did the Senator from New Jersey want to debate his amendment further?

Mr. WARNER. I was not able, in a busy markup session, to ascertain that.

Mr. LEVIN. Maybe we could ascertain that. He is on his way to the floor. I know he was willing to make the modification. It is helpful to put the date of his amendment in line with our bill, the fiscal year, as I understand it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

Ms. STABENOW. Madam President, I rise to speak in support of the Lautenberg-Stabenow amendment. I understand Senator LEVIN has offered it and Senator LAUTENBERG will be coming shortly to speak on our amendment.

This is an incredibly important amendment for the men and women who are currently serving us so bravely, courageously around the world. We all know that prescription drug costs are one of the largest drivers of health care costs, rising every year at double or even triple the rate of inflation. This is certainly an area where I have been focused for much of my Senate career—on the high cost of prescription drugs. We all know that is the case.

Like every manufacturer, small business, and State Medicaid Program, the military is facing the same challenges of controlling prescription drug prices. Instead of supporting policies that would lower prescription drug prices, such as reimportation of prescription drugs from other countries like Canada, which is very close to Michigan, or focusing on more generic, lower cost drugs that can be brought to the market and create competition to bring down prices, or allowing Medicare to negotiate pricing, unfortunately, this

administration wants to put the costs on the backs of our men and women in uniform and their families. I strongly oppose that policy.

The President's budget proposed increasing the prescription drug copays for our troops and their families, almost doubling copays for both generic and brand-name drugs.

The proposed pharmacy copay increases represent a 70-percent increase for military beneficiaries over the next 5 years—far in excess of the 24-percent increase in military pay, or the 14-percent increase in retiree pay over the same period. These increased copays will affect Active-Duty members of the Armed Forces and their families, members of the Guard and Reserve and their families, and retired members of the Armed Forces and their families, as well as surviving spouses who are enrolled in TRICARE and get their prescription drugs from retail pharmacies.

Unfortunately, the Senate Defense authorization bill only rejects the increases if people use mail order pharmacies for their prescriptions. While mail order may work for some, many military families cannot wait 2 weeks or more to get the medicine they need right now. The vast majority of our military families purchase their drugs at pharmacies. Of all TRICARE prescriptions filled, about 43 percent are through retail, going to local pharmacists, 51 percent are through military pharmacies, and only 6 percent are through mail order.

Unfortunately, in Michigan, there are no military pharmacies for the 64,000 military men and women and their families who call Michigan home. So this will impact the families in Michigan who are serving us abroad—the troops as well as their families.

Are we going to tell an Active-Duty mother to wait 2 weeks to get the antibiotics that her children need? Are we going to say to our troops that their family should have to pay more for prescriptions while they are serving and protecting us in Iraq?

The Lautenberg-Stabenow amendment makes sense. It would temporarily freeze retail copays at their current rate through the end of next year. I understand there has been a request from the chairman of the Committee on Armed Services to change that to the end of the fiscal year. I don't object to that. The amendment is consistent with the committee's findings that military beneficiaries should be held harmless from TRICARE fee increases until Congress is satisfied that the Defense Department has done all it can to constrain health care costs, without shifting the costs to our military families.

Clearly, Madam President, we have not done all we can to cut health care costs, and we ought not to be shifting this burden to our military families. If we don't pass this important amend-

ment, our soldiers and their families will be asked to pay an additional \$200 million next year for their medicine.

I was fortunate enough to spend Memorial Day with our troops in Iraq and saw firsthand, as so many of my colleagues have, their dedication and courage under incredibly difficult circumstances. We have an obligation to support these men and women, and that means not raising their prescription drug copays while they are fighting to protect us.

I hope the Senate will unanimously support this effort that would stop the doubling of copays for our military families for their medicine. I am hopeful that we will be able to do that as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Madam President, I will give a little background, if I could, about this subject matter and area of inquiry.

The Department of Defense initiated early on this year, and part of last year, a fairly dramatic increase in TRICARE premiums for military retirees and family members. The TRICARE program is, I think our membership knows, a military health care system for Active-Duty people and also for those who are retired, up to age 65. This is a provision for those 65 who can continue during Medicare eligibility.

The health care part of the military budget is just growing leaps and bounds. Our chairman is sort of the champion of the TRICARE program, and it has been a wonderful program for military members and their families and retirees. But in 2015, it is going to be 12 percent, if nothing changes in the entire military budget. It is on an unsustainable course. We have not had a premium increase since TRICARE's inception.

I will take a back seat to no one in wanting to help the troops, but the best thing we can do is create a benefit that is sustainable and not have to pick between health care benefits and armament and new weapons and all of the operational needs of the military, which are going to be eventually squeezed. In committee, Senator NELSON and myself, along with the chairman and ranking member, said to the Department of Defense: Stop, don't pass go, no fee increases.

We are going to have the GAO and other groups look at ways to save money before you have to ask for fee increases. And, secondly, give us some idea if the Department of Defense numbers are accurate. Are they accurate in terms of the growth explosion in the cost of this program? So we are going to get information to make a good decision and basically put a hold on the fee increases for participation of TRICARE.

That got us into the area of prescription drugs. One of the things that we

have done for military members, and retirees in particular, is we have made prescription drugs very affordable and reasonably priced. What we are trying to do to save money is to allow an increase in retail prescription drug costs, which have again been static since the inception of the program, from \$3 to \$5 for a 30-day prescription for generic drugs, from \$9 to \$15 for a 30-day prescription of brand drugs. To counter that, we were going to have a zero copayment for those who chose to get their prescriptions filled through the mail. If you had a maintenance prescription, a drug need that would be recurring, and you used the mail system, there would be no copay at all.

What we are trying to do there is get people into purchasing drugs in a way that is cost effective for the military and have some cost increase to keep the program sustainable. That is what this debate is about.

I appreciate the chairman, who has been a great leader in this, working with Senator LAUTENBERG to try to find a way to get us past 2007.

I will end on this note. This problem is going to get worse. Over time, the military health care footprint within the Department of Defense budget is on an unsustainable course. TRICARE is a great program, but we are going to have to look at ways to make it more efficient, look at cost savings and, eventually, we are going to have to go back to the military community and ask for some increased participation to make this sustainable for the next generation of military retirees and their families. If we don't, we are going to be in a dilemma we would not want to be in as a nation, having to pick between operational needs and health care needs.

As a member of the Guard and Reserve—and I have done some time on active duty—I want to be as generous and as fair with the benefit package as the country can afford, but no benefit can be locked in time without some reevaluation and adjustment. After 2007 passes, we are going to have to start making hard choices. I promise all the Members of this body and those who may be listening to the military community that we are going to do it in a way that is acceptable, humane, rational, and not ask more than people can bear. The idea of trying to have a zero copayment if you would get your prescriptions filled through the mail is a great idea. It will be good for the military members participating in the prescription drug program, and I am convinced—and we will see after this year—that it will save a lot of money, specifically for those drugs recurring in need.

The increases on the generic and brand names through the retail system are appropriate, and we will revisit that issue after this year.

I just want the Members of the body to know that if we don't get ahead of

the growth of TRICARE and try to implement changes in a systematic, incremental way, we are going to wind up one day where this body in the next decade is going to have to make some draconian choices. The way to prevent making draconian choices is to phase in changes that the force can accommodate and that will relieve the pressure on TRICARE. It is a wonderful program, and it needs to be on a sustainable footing. Right now it is on an unsustainable path. We will find out more information about how to reform it at the end of this year.

Madam President, I say to the chairman of the committee, I appreciate all the effort he has given to create TRICARE. He worked in a bipartisan manner to create a health care program that has been very valuable to the men and women in the military, their families, and particularly retirees. This program, like every other program at the Federal level, is going to have to be looked at anew in terms of sustainability. I look forward to working with the chairman and others to make it sustainable.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I thank my distinguished colleague. For years, Senator GRAHAM has been on the Armed Services Committee and has really specialized in health issues and other issues relating to the welfare of the men and women of the Armed Forces and their families. I, like him, share concerns about the rising costs of these programs. How well he and I understand that there is only so much money allocated under the process of our budget to the men and women in the Armed Forces. They need equipment. They need training. They need housing. They need medical care. If we constantly begin to chip away, it ends up those moneys are withdrawn from the modernization account.

I thank the Senator.

Mr. GRAHAM. Madam President, if I may add, the projections are that the military health care program will be \$65 billion in costs by 2015, 12 percent of the DOD's budget. We will be getting a real hard look to see if those moneys are accurate and ways to save money. Madam President, 2007 will be a year in which we look at the true cost component of TRICARE projected out in the future and try to think of ways to make it sustainable, because if the projections are anywhere near accurate, this program becomes unsustainable over time. It is worth saving, and I think anyone in the military would want it to be saved. We are just going to have to be honest with them about the cost. They cannot be locked in time forever.

AMENDMENT NO. 4205, AS MODIFIED

Mr. LAUTENBERG. Madam President, I ask unanimous consent that my amendment be the pending business.

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

Mr. LAUTENBERG. Madam President, I send a modification to the amendment to the desk.

The PRESIDING OFFICER. Is the Senator asking consent to modify the pending amendment?

Mr. LAUTENBERG. I am.

The PRESIDING OFFICER. Is there objection to the modification? Without objection, the amendment is so modified.

The amendment (No. 4205), as modified, is as follows:

At the end of subtitle A of title VII, add the following:

SEC. 707. TEMPORARY PROHIBITION ON INCREASE IN COPAYMENTS UNDER RETAIL PHARMACY SYSTEM OF PHARMACY BENEFITS PROGRAM.

Subsection (a)(6) of section 1074g of title 10, United States Code, as amended by section 702(b) of this Act, is further amended by adding at the end the following new subparagraph:

“(D) During the period beginning on October 1, 2006, and ending on September 31, 2007, the cost sharing requirements established under this paragraph for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) may not exceed amounts as follows:

“(i) In the case of generic agents, \$3.

“(ii) In the case of formulary agents, \$9.

“(iii) In the case of nonformulary agents, \$22.”

Mr. LAUTENBERG. Madam President, I wish to now discuss my amendment, which is fair and simple. It prohibits increases in the pharmacy copayments of our military families and military retirees they purchase at retail pharmacies.

These families are part of the military's health insurance program called TRICARE.

The price of everything going up so rapidly now hardly seems the time to ask the people who have sacrificed for our country—many who have been in harms way—to pay more for their prescription drugs. It is incomprehensible.

My amendment, cosponsored by Senators STABENOW, BINGAMAN, HARKIN, LINCOLN, MENENDEZ, MIKULSKI, LANDRIEU, LIEBERMAN, KERRY, and MURRAY, is very simply a prohibition on increasing, at this point in time, the copayments that veterans and active duty families have to pay for prescription drugs.

The amendment is very simple. It says no, n-o, at increase on pharmacy copays through the end of fiscal year 2007.

We ask our military families to make enormous sacrifices for our country, and now we want to saddle them with higher health care costs? It doesn't make sense. The administration is proposing to increase the cost of TRICARE prescription drug copayments from \$9 to \$15 for brand-name drugs. This is, indeed, a hardship. It means that over a 5-year period, prescription drug prices will rise by 70 percent for military families—far outstripping the 24-percent increase in

military pay or the 14-percent increase in retirement pay over the same period. If we don't stop this increase we will have taken away those increases that they worked so hard to get.

If you can go to a military base to purchase your prescriptions you don't need to pay a copayment, but in the real world that is always not possible. Too many veterans and military families don't live on or near a base, particularly when it comes to the National Guard and Reserve.

In New Jersey, for instance, there are seven military installations, but only three have pharmacies and none of these facilities are in the northern part of the State. Driving long distances, especially with gas costing \$3 a gallon or more, is not the solution.

Families and veterans have the option of getting prescription drugs at no cost by mail order. But many times people can't wait for a week or two to fill a prescription. If you have a sick child at home who needs an antibiotic right away, who will wait for mail delivery. Also, many people, especially older veterans, prefer to get their prescription drugs from the local pharmacy where they can also get consultations with pharmacists and other services. TRICARE beneficiaries deserve the ability to choose where they want to go to get their prescriptions.

Retail pharmacies account for about 43 percent of the prescription drugs purchased through TRICARE. One large pharmacy chain estimated that it fills more than 7 million TRICARE prescriptions every year. Close to 9 million individuals are enrolled in the TRICARE program. The increases proposed by the administration would affect a large number of military families and veterans.

We know how the Guard and Reserves have been disproportionately affected by deployments in Iraq and Afghanistan. To raise their health care costs, I think that is unconscionable.

John F. Kennedy said:

To govern is to choose.

Last Thursday, all but two Republican Senators voted to repeal the inheritance tax permanently, a move that would cost \$989 billion over 10 years. Remember that fewer than one-half of 1 percent of all estates incur tax liability. We are talking about a tax break for the wealthiest Americans, the very people presumably who benefit the most from the freedom that our men and women in uniform protect. Now we are being told that we cannot afford to freeze these copayments that these men and women have to make and their families have to pay for the medicines they need. It is really unbelievable.

CBO, the Congressional Budget Office, says my amendment will cost \$290 million in fiscal year 2007.

In good conscience can we repeal the inheritance tax on the super-rich while

imposing a pharmacy tax on our men and women in uniform, our veterans, and their families?

American's appreciate so much the sacrifices asked of our Nation's military families and veterans. I'm certain they would be willing to cover the cost of my amendment.

This amendment freezes pharmacy copayments at their current levels. It will send a message to our military men and women. It will tell them that just as they protected us, we are concerned about them and their families. I urge my colleagues to support my amendment.

Mr. WARNER. Madam President, I wish to advise the Senator that we have carefully examined the amendment and we are prepared to accept it on this side.

Mr. LAUTENBERG. Madam President, I appreciate that and am pleased that we are going to make a statement here that we don't want those people who are on TRICARE, to have to pay more at this time. It just would be the wrong thing to do.

I am not surprised that the Senator from Virginia, with a sound military record and having been involved in Government for many years in terms of military affairs, stands up and delivers that agreement. I thank him very much, and I thank my colleague from Michigan also, for the opportunity to introduce this amendment. Without further ado, I assume that it will now be accepted.

Mr. WARNER. Madam President, for those following the debate, I certainly would acknowledge that the Senator from New Jersey had a distinguished record in World War II in the U.S. Army in Europe and understands very well, through firsthand experience, the hardships faced by those particularly in the enlisted ranks.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. First let me commend the Senator from New Jersey for his leadership in this matter and for his identifying a real problem which needs to be corrected. It would be, it seems to me, unconscionable for us to be increasing these copays in the middle of a conflict. For the men and women in the military and their families to face additional copays at this point is very, very inadvisable. I thank Senator LAUTENBERG of New Jersey for identifying this problem, and to all of his cosponsors, the same thank you and gratitude is owing. I very much support the amendment, and I hope it will be promptly adopted.

Mr. WARNER. Madam President, I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 4205), as modified, was agreed to.

Mr. WARNER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 4211

Mr. WARNER. Madam President, I believe we now return to amendment No. 4211.

The PRESIDING OFFICER. That is the pending amendment.

Mr. WARNER. Madam President, I ask unanimous consent the distinguished President pro tempore of the Senate, Senator STEVENS, be made a cosponsor, and the distinguished ranking member of the Armed Services Committee, the Senator from Michigan, Mr. LEVIN, be made a cosponsor of amendment No. 4211.

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

Mr. WARNER. Madam President, we are going to accept this amendment by voice vote. I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 4211) was agreed to.

Mr. WARNER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. WARNER. Madam President, I rise today to speak on this amendment that will direct the first ship of the Navy's future class of air carriers, heretofore known as CVN-78, shall be named the USS *Gerald Ford*, in honor of our great statesman and leader, whose distinguished career of service to our Nation has spanned more than six decades. I can think of no finer tribute to our Nation's 38th President and indeed to the United States Navy than to add his name to a warship.

Gerald Ford joined the Navy in February of 1942, along with millions and millions of other Americans who responded to the call following Pearl Harbor. It was just weeks after Pearl Harbor that he volunteered, in those first dark hours of the United States' entry into World War II. Leaving behind a family and a profession to serve in a distant corner of the globe, he exemplified his generation often referred to as the greatest generation and truly all generations of young Americans who have sacrificed to defend our freedom—be it freedom from tyranny or freedom from terror.

As a young lieutenant, Gerald Ford came within inches of being swept overboard while selflessly performing his duties in the raging storm that battered Admiral "Bull" Halsey's fleet during action in the Philippine Sea. He was aboard a small aircraft carrier at

that time. It was the USS *Monterey*, CVL-26. That ship, the *Monterey*, earned 10 battle stars for her role at Makin Island, Kwajalein, Truk, Saipan, the Philippines, and other major engagements in the Pacific theater. Lieutenant Ford had volunteered for that service aboard that ship and sailed in harm's way with many others. This memorable footnote in history of that one action where he selflessly performed lifesaving duties aboard his ship would instill in the future President a lifelong respect and appreciation for the hardships and dangers that surround our brave men and women in uniform. His military experience proved invaluable to his service as commander in chief and President of the United States.

Following World War II, Gerald Ford again answered duty's call, gaining election in 1948 to the House of Representatives where he would ultimately serve our Nation for a quarter of a century. During those tumultuous years in our history, as Congress acted on grave and often divisive issues surrounding the Cold War, nuclear weapons policy, war in Korea and Vietnam, the assassination of a beloved President, the civil rights movement, and the resignation of a Vice President of the United States, Congressman Ford distinguished himself by his calm, steady guidance, his plain-spoken wisdom, his extraordinary character, and his openness. He was respected by all for his decency.

These qualities propelled Gerald Ford to the forefront of his party. From 1965 to 1973, as minority leader of the House of Representatives, he was a unifying force in the Congress, serving not merely his party and constituency, but reaching across the aisle to find common ground and resolve for the greatest issues of the day.

The history of the ensuing years is well known as a turning point in our modern history as a Nation, when the great system of checks and balances forged into our Government framework by the Founding Fathers met one of its greatest challenges. There was neither past precedent nor a clear path forward for the change of power that would take place. There was only certainty that the man who was to ultimately assume the responsibility of the office of the President of the United States must be a leader of uncommon integrity, one who would reach ably across the aisle as a leader of all the people, and one whose credibility at home and abroad would be a unifying force—a foundation for the future.

In that hour of crisis, when public confidence in the Office of the President had ebbed, and the division between the executive office and the Congress had widened to its greatest extent in a century, our Nation placed its hope and trust in Gerald Ford to restore the faith of the people of the

United States in the Office of the President of the United States and Commander in Chief of the Armed Forces.

President Gerald R. Ford brought closure to the crisis with characteristic straight talk at his inauguration in August of 1974, when he humbly declared to the American people that: "Our long national nightmare is over. Our Constitution works." With those words, our Nation moved forward under his leadership.

During his administration, President Ford's policies at home pursued the path of healing and rebuilding—addressing the wounds of Watergate and the end of the war in Vietnam. He halted the postwar decline of our Armed Forces and set an early course for our Nation's defense posture, which proved a well-placed step toward ending the Cold War.

Abroad, President Ford worked to achieve peace in the Middle East, to preserve detente with the Soviet Union, and to limit the spread of nuclear weapons. Furthermore, with a clear vision towards a prevailing freedom in Eastern Europe, President Ford advanced the cause of human rights and perhaps charted a way and new course for these people long oppressed under the Soviet regime with the signing of the final act of the conference on security and cooperation in Europe, commonly known as the Helsinki Agreement.

In the three decades since departing the White House, President Ford has continued his relentless pursuit of the ideals which mark America's greatness. To this day, Gerald Ford remains an international ambassador of American goodwill, a champion for higher education, a strong supporter of human rights, an ardent proponent of strong national defense and international leadership by the United States, and a trusted adviser to the succession of Presidents who have built upon his foundation.

I believe my colleagues will agree that it is entirely fitting that CVN-78 be named for a former carrier sailor, the USS *Gerald Ford*.

I acknowledge the help and guidance and assistance of many in bringing up this amendment, notably among them John March, a friend of mine and an acquaintance, a fellow public servant. We both came out of World War II and met at Washington and Lee University. He went on to become a distinguished Member of the House of Representatives, serving there for 14 years. Then he was counsel to President Ford at the time of these difficult decisions that I have referred to. He then served as Army Secretary, and I think to date he is the longest serving Army Secretary in the history of our country.

Likewise, a wonderful man, former Secretary of Defense Melvin Laird. He was Secretary when I was privileged to

serve under him as Under Secretary and Secretary of the Navy, again a lifelong friend and admirer of Gerald Ford. Also, the Ford Foundation members, and so many others. I spoke with Vice President DICK CHENEY yesterday. Indeed, he was Chief of Staff to President Ford in his years of the Presidency, and Don Rumsfeld also served and was appointed by President Ford as Secretary of Defense when he first served with great distinction.

So I introduce this amendment, now acted upon by the Senate, with the deepest sense of humility and gratitude to this fine man who touched my life, who helped form my career, who held a Bible on the steps of the Senate with me when I was sworn in as head of the Nation's bicentennial, having then just stepped down as Secretary of the Navy; again served under President Ford in that capacity, to take on the direction of that brief chapter of America's history where our country, together with 22 other nations, recognized the magnificent achievement of our great framework of Government beginning in 1776.

So I do so, and I am very heartened that I am joined by the distinguished President pro tempore of the Senate, Senator STEVENS, who has been a lifelong friend. It is not entirely coincidental that I am joined by my distinguished colleague, friend, and coworker here in the venue of the Armed Services Committee for these 28 years that we have served together, the distinguished Senator from Michigan, from whence Gerald Ford came to serve his country as Congressman and Vice President.

Madam President, I ask unanimous consent that the timeline of President Gerald R. Ford's life and career be printed in the RECORD.

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

TIMELINE OF PRESIDENT GERALD R. FORD'S
LIFE AND CAREER

- July 14, 0000—Gerald R. Ford is born as Leslie Lynch King, Jr. in Omaha, Nebraska.
- February 1, 0000—Dorothy King marries Gerald R. Ford, Sr., a Grand Rapids businessman.
- 1918–1925—Young Ford attends elementary school at Madison Elementary in Grand Rapids, MI. He briefly attends East Grand Rapids Elementary while the family lived there.
- 1925—On his twelfth birthday, Ford joins the local Boy Scout Troop 15 of Trinity Methodist Church in Grand Rapids, MI. In November 1927 he attains the rank of Eagle Scout.
- 1925–1931—Ford attends South High School in Grand Rapids, MI for junior high and high school. He excels at football, being named to the "All-City" and "All-State" teams. He also works at his father's paint factory and a local hamburger stand.
- 1931–1935—Ford attends the University of Michigan. He plays center on the football team and is named Most Valuable Player on the 1934 team. He also joins the Delta Kappa Epsilon fraternity.

- 1935—Ford plays in the East-West Shrine Game and receives pro football contract offers from the Green Bay Packers and the Detroit Lions.
- June 1935—Ford graduates from the University of Michigan with a B.A. in Economics.
- September 1935—Yale University hires Ford to be an assistant football and boxing coach.
- December 3, 0000—He legally changes his name to Gerald R. Ford, Jr.
- Summer 1936—Ford works as an Intern Forest Ranger at Yellowstone Park's Canyon Station.
- Summer 1937—Ford attends law classes at the University of Michigan in Ann Arbor.
- February 1938—Ford is accepted to Yale University Law School. He begins classes in the fall while continuing to coach. While at Yale, Ford supports the isolationist America First Committee as America sees war spread across Europe.
- Summer 1938—Ford attends law classes at the University of North Carolina in Chapel Hill.
- Fall 1940—Ford volunteers for the Wendell Willkie presidential campaign in New York City. As a volunteer, he attends his first Republican convention in Philadelphia.
- Spring 1941—Ford graduates in the top third of his law school class at Yale.
- May 1941—Ford returns to Grand Rapids and partners with friend Philip Buchen to open a law firm located in Suite 621 of the Michigan Trust Building. He also becomes active in local politics helping launch a reform group opposed to the Republican political machine of Frank D. McKay.
- February 1942–May 1942—With the U.S. entrance into World War II, Ford volunteers for the Navy. He is assigned to the Navy's V-5 pre-flight program in Annapolis, Maryland to become a physical training instructor. Upon completion, he is sent to Chapel Hill, North Carolina as an athletic training officer.
- Summer 1943–December 1944—Ford is assigned to sea duty aboard the carrier USS Monterey as the ship's athletic officer and one of the ship's gunnery officers. He sees action in the Pacific Theater aboard the USS Monterey in the Battle of Makin. The ship also takes part in attacks against Kwajalein and Eniwetok, New Guinea, Saipan, Guam, and Formosa. He also survives a typhoon in the Pacific that batters the Monterey on December 18, 0000.
- Spring 1945—Ford is promoted to Lieutenant Commander and assigned to Glenview, Illinois, to train new naval officers for sea duty.
- Fall 1945—Ford returns to Grand Rapids and rejoins his friend Philip Buchen with the law firm of Butterfield, Keeney, and Amberg. He becomes active in many civic affairs and charities including chapters of the Red Cross, the American Legion, and the VFW. Influenced by his experience in the war and the internationalist views of Senator Arthur Vandenberg, Ford resumes his involvement in reforming Grand Rapids politics.
- August 1947—Ford is introduced to Elizabeth (Betty) Bloomer Warren by mutual friends.
- June 1948—Ford announces his candidacy for the Republican nomination for U.S. House of Representatives, Fifth Congressional District of Michigan. He challenges the isolationist foreign policy approach of incumbent Bartel Jonkman, a McKay associate.
- September 14, 0000—Ford defeats Jonkman 23,632 to 14,341 in the Republican primary.
- October 15, 0000—Ford and Betty Bloomer Warren wed at Grace Episcopal Church in Grand Rapids. Marrying in the middle of his congressional campaign, the couple honeymoon briefly in Ann Arbor, attend the University of Michigan-Northwestern football game, and then drive to Owosso, Michigan to attend a rally for Republican Presidential candidate Thomas Dewey.
- November 2, 0000—Ford is elected to his first term as a U.S. Congressman from Grand Rapids, receiving 60.5% of the vote.
- January 3, 0000–1950—Ford is sworn in as a member of the Eighty-First Congress. During his first year in the House, he is assigned to the Public Works Committee. As a member he is invited to tour the White House by President Truman. He also helps organize the "Chowder and Marching Club" of young Republican Congressmen with fellow House member Richard Nixon.
- March 14, 0000—The Fords' first child, Michael Gerald Ford is born.
- November 7, 0000—Ford wins his second term as Congressman from the fifth district with 66% of the vote.
- January 1951–1952—At the start of his second term in the House, Ford is appointed to the Appropriations Committee. Ford invites Richard Nixon to Grand Rapids to give the annual Lincoln Day Speech. In February 1952 he and other young Republican Congressmen send a letter urging General Eisenhower to enter the Presidential race.
- March 16, 0000—The Fords' second son, John Gardner "Jack" Ford is born.
- November 4, 0000—Ford wins his third term as Congressman from Grand Rapids with 66% of the vote.
- 1953–1954—Ford is a member of the only Republican controlled House from 1949 to 1995. He is appointed to the Appropriations Subcommittee on Defense Spending, and is made Chairman of the Army Panel on spending. As a member of this committee he witnesses test firings of project NIKE that developed the first operational anti-aircraft missile, the Nike-Ajax.
- August 1953—Ford takes a three week tour of U.S. military installations in Asia and the Pacific. He visits Saigon in French Indochina, and during a visit to Korea, witnesses a POW exchange.
- November 4, 0000—After declining a run for U.S. Senate, Ford wins his fourth term as Congressman.
- 1955–56—Ford continues to serve on the Appropriations Committee in the House, and in 1956 is appointed to the Intelligence Subcommittee, which oversees the CIA's budget. He serves on this subcommittee for ten years and learns of programs such as U-2 and Bay of Pigs. He also visits NATO headquarters in Paris, and the Allied and Russian Zones of Berlin. He visits a Hungarian refugee camp in Austria.
- Spring 1955—The Fords move into their newly completed house in Alexandria, Virginia.
- May 19, 0000—The Fords' third son, Steven Meigs Ford is born.
- November 6, 0000—After declining an opportunity to run for Michigan Governor, Ford wins election to his fifth term as Congressman.
- 1957–1958—During his fifth term, Ford is appointed to the "Select Committee on Astronautics and Space Exploration," chaired by Senator Lyndon Johnson, which would recommend the creation of NASA. He also attends an address of South Vietnamese President Ngo Dinh Diem to a joint session of Congress in May 1957.
- July 6, 0000—The Fords' youngest child, daughter Susan Elizabeth Ford is born.
- November 4, 0000—Ford wins his sixth term as U.S. Congressman.
- 1959–1960—In January, Ford joins the Republican colleagues in replacing their House leader Joseph Martin with Charles Halleck. In September 1959 Ford spends 3 days touring Moscow and 10 days in Poland on fact-finding missions.
- July 1960—The Michigan delegation at the Republican Convention in Chicago supports Ford as a favorite son candidate to Richard Nixon's running mate. Ford gives the nominating speech for the eventual Vice-Presidential nominee, Ambassador Henry Cabot Lodge.
- November 1960—Ford is re-elected to a seventh term in Congress.
- 1961–1962—Ford becomes the ranking Republican on the Defense Appropriations Subcommittee. However, he supports many of President Kennedy's foreign aid initiatives. He is also awarded the Congressional Distinguished Service Award from the American Political Science Association.
- January 26, 0000—Ford's stepfather, Gerald Ford, Sr., dies in Grand Rapids, Michigan.
- November 6, 0000—Ford is re-elected to his eighth term, despite declining Republican numbers in the House.
- January 2, 0000—In a Republican caucus revolution led by Congressmen Charles Goodell and Robert Griffin, Ford defeats Charles Hoeven of Iowa for House Republican Conference Chairman.
- November 29, 1963—A week after President Kennedy's assassination, President Johnson appoints Ford to the seven member Warren Commission to investigate Kennedy's death. On September 27, 0000 they would publish their conclusion that there was no evidence of a conspiracy in the assassination of President Kennedy. Ford would later publish a book about the assassination, *Portrait of an Assassin*, with friend Jack Stiles.
- November 3, 0000—Lyndon Johnson is elected President in a landslide over Barry Goldwater. Ford is elected to his ninth term as Congressman.
- December 19, 0000—After meeting with fellow Republican House members Donald Rumsfeld, Robert Griffin, and Charles Goodell, Ford announces that he will challenge the incumbent, Charles Halleck of Indiana for the post of House Minority Leader.
- January 4, 0000—Ford unseats Halleck as House Minority Leader by a vote of 73–67.
- 1965–1966—In his first term as House Minority Leader, Ford offers Republican alternatives to the Great Society legislation of the Johnson administration. He appears with Senate Minority Leader Everett Dirksen of Illinois in weekly press conferences (known as the "Ev and Jerry Show") to offer critiques of Johnson administration policies. He also campaigns on behalf of Republican candidates during the 1966 midterm elections.
- November 8, 0000—Ford wins his tenth election as Congressman with 68 percent of

- the vote. Republicans make strong gains in the mid term elections.
- 1967–1968—Ford in his second term as House Minority Leader begins attacking Johnson's position on the war in Vietnam asking in an August 8, 0000 speech, "Why are we pulling our best punches in Vietnam?"
- September 17, 0000—Ford's mother, Dorothy Gardner Ford, dies in Grand Rapids, Michigan.
- August 5, 0000—Ford presides as Permanent Chairman of the Republican Convention held in Miami Beach, Florida. Following Richard Nixon's nomination, Ford supports New York City Mayor John Lindsay for running mate in conversations with Nixon. Nixon, however, chooses Maryland Governor Spiro Agnew.
- November 5, 0000—Nixon is elected President; Ford is elected to his eleventh term as House member.
- 1969–1970—As House Minority Leader under a Republican President, Ford consistently supports Nixon's policies in the House.
- April 15, 0000—In a speech on the House floor, Ford calls for the removal of Justice William O. Douglas' from the Supreme Court for what Ford believes to be inappropriate judicial conduct. The matter is later turned over to the House Judiciary Committee where the issue dies.
- November 3, 0000—Ford is elected to his twelfth term.
- June 17, 0000—Five burglars break into Democratic National Headquarters at the Watergate Hotel in Washington, D.C.
- June 23–July 7, 0000—Building upon President Nixon's trip to the People's Republic of China in February 1972, Ford and Congressman Hale Boggs of Louisiana visit and meet with Premier Chou En-Lai.
- August 19–22, 0000—Ford chairs the Republican National Convention in Miami Beach, Florida, where President Nixon and Vice-President Agnew are re-nominated.
- November 7, 0000—Ford is elected to his thirteenth and final term as a Congressman from Michigan. Despite Nixon's landslide victory, the Republicans do not gain many House seats. Realizing he may never achieve his goal to become Speaker of the House, Ford contemplates retirement after 1976.
- October 10, 0000—Spiro Agnew, under investigation for accepting bribes and income tax evasion, resigns as Vice President of the United States.
- October 12, 0000—Ford is nominated to be Vice President by Richard Nixon. He is the first Vice President nominated under the 25th amendment to the Constitution.
- November 1, 0000—The Senate begins hearings on Ford's nomination as Vice President.
- November 15, 0000—The House Judiciary Committee begins its hearings on Ford's nomination as Vice President.
- November 27, 0000—The Senate approves Ford's nomination by a vote of 92–3.
- December 6, 0000—The House approves Ford's nomination by a vote of 387–35. Ford takes the oath as the fortieth Vice President of the United States in front of a joint session of Congress.
- January–July, 0000—With Nixon embroiled in the growing Watergate scandal, Vice President Ford travels the country speaking on behalf of the administration's policies. Ford remains an advocate and spokesman for the Republican Party, attending fundraisers and campaign events for Republican candidates.
- April 30, 0000—Nixon releases edited versions of the Watergate tapes containing White House conversations.
- May 9, 0000—The House Judiciary Committee begins impeachment proceedings against President Nixon.
- July 24, 0000—The Supreme Court orders Nixon to turn over the unedited versions of the White House tapes.
- July 27–30, 0000—The House Judiciary Committee approves three articles of impeachment against Richard Nixon.
- August 1, 0000—Nixon's Chief of Staff, Al Haig, advises Ford that he should prepare for a transition to the Presidency.
- August 6, 0000—Ford attends a cabinet meeting and tells Nixon that while he will continue to support Nixon's policies, he can longer speak on the issue of Watergate to the media and the public.
- August 8, 0000—Nixon announces his decision to resign in a televised address.
- August 9, 0000—Ford is sworn in as the 38th President of the United States. In his swearing-in remarks, Ford announces "Our long, national nightmare is over."
- August 12, 0000—Ford addresses a Joint Session of Congress. He states, "I do not want a honeymoon with you. I want a good marriage." He also states his first priority is to bring inflation under control, declaring it "public enemy number one."
- August 19, 0000—Ford delivers a major speech to the Veterans of Foreign Wars convention in Chicago, supporting earned clemency for Vietnam War draft evaders.
- August 20, 0000—Ford nominates Nelson Rockefeller, former Governor of New York, to be Vice President.
- August 28, 0000—Ford holds his first press conference as President. Many of the questions concern unresolved issues surrounding Watergate.
- September 8, 0000—Ford pardons Nixon for any crimes he may have committed as President. The surprise announcement stuns the country and Ford plummets in the polls.
- September 26–28, 0000—Betty Ford is diagnosed with breast cancer and undergoes surgery.
- September 27–28, 0000—The White House convenes a "summit conference" on inflation and the economy.
- October 8, 0000—Ford announces his Whip Inflation Now program to a joint session of Congress.
- October 15, 0000—Ford signs the Federal Election Campaign Act Amendments of 1974, which seek to regulate campaign fundraising and spending.
- October 17, 0000—Ford appears before the House Judiciary Subcommittee on Criminal Justice to explain the facts and circumstances that were the basis for his pardon of former President Richard Nixon.
- October 17, 1974—Ford vetoes the Freedom of Information Act Amendments believing not enough protection is given to sensitive and classified intelligence documents. Congress overrides Ford's veto on November 21, 0000 making the bill law.
- November 1, 0000—Ford meets with an ailing Richard Nixon in a Long Beach, California hospital.
- November 5, 0000—Republicans lose 40 seats in the House and 4 in the Senate, widening the Democratic majority in Congress during the mid-term elections.
- November 17, 0000—Ford departs for a visit to Japan—the first visit to that country by an American President—and to South Korea and the Soviet Union.
- November 23, 0000—Ford and Leonid Brezhnev, General Secretary of the Communist Party of the U.S.S.R., meet in Vladivostok, U.S.S.R.
- December 19, 0000—Following Congressional approval, Nelson Rockefeller is sworn in as the forty-first Vice President of the United States.
- January 1, 0000—Ford signs the Privacy Act of 1974.
- January 4, 0000—Ford names a Blue Ribbon panel, chaired by Vice President Rockefeller, to review CIA activities within the United States in response to allegations made in a December New York Times article by Seymour Hersh.
- January 13, 0000—Ford delivers a "fireside chat" to the nation, outlining his proposals to fight inflation, the economic recession, and energy dependence.
- January 15, 0000—In his first State of the Union Address, Ford announces bluntly that "the state of the Union is not good: Millions of Americans are out of work. Recession and inflation are eroding the money of millions more. Prices are too high, and sales are too slow." To remedy these problems, Ford proposes tax cuts for American families and businesses, and strongly advocates for the reduction of government spending.
- February 7, 0000—Ed Levi is sworn in as the new Attorney General of the United States replacing William Saxbe, whom Ford appoints as U.S. ambassador to India.
- April 10, 0000—As North Vietnamese Army Divisions approach Saigon; Ford addresses a joint session of Congress to request, unsuccessfully, financial assistance for South Vietnam and Cambodia. During the speech two freshman Democrats, Toby Moffett of Connecticut and George Miller of California walk out in protest.
- April 12, 1975—Ford evacuates the U.S. mission in Cambodia as the communist Khmer Rouge advance on the capital Phnom Penh. The Khmer Rouge take over the country on April 17, 0000.
- April 23, 0000—In a speech at Tulane University, President Ford declares that the Vietnam War "is finished as far as America is concerned."
- April 28, 0000—Ford orders the emergency evacuation of American personnel and high-risk South Vietnamese nationals, as Saigon falls to Communist forces.
- May 12, 0000—Newly Communist Cambodia seizes the U.S. merchant ship, Mayaguez. Ford orders Marines to rescue the ship's crew.
- May 28, 0000—Ford departs on trip to Europe for a NATO summit meeting, to visit Spain and Italy, and to meet in Austria with President Sadat of Egypt.
- July 8, 0000—Ford formally announces his candidacy for the Republican presidential nomination in 1976.
- July 26, 0000—The President departs on his second trip to Europe—"a mission of peace and progress"—for visits to West Germany and Poland, and finally Helsinki to meet leaders of 34 other nations to sign the final act of the Conference on Security and Cooperation in Europe. He concludes his trip with visits to Romania and Yugoslavia.
- September 1, 0000—Ford announces a joint Egyptian-Israeli agreement on troop disengagement in the Sinai Peninsula. The agreement is the culmination of 34 days of shuttle diplomacy by Secretary of State Henry Kissinger.
- September 5, 0000—Charles Manson follower, Lynette "Squeaky" Fromme attempts to

- assassinate President Ford in Sacramento, California.
- September 22, 0000—Sara Jane Moore, a woman with ties to leftwing radical groups, attempts to assassinate President Ford in San Francisco, California.
- October 2-3, 0000—Ford hosts Japanese Emperor Hirohito and Empress Nagako for a state visit. This is the first state visit for an Emperor and Empress of Japan to the United States.
- October 29, 1975—Ford urges financial restraint and a financial review for New York City during its budget crisis. Ford refuses to support Federal help for New York at this time. He proposes bankruptcy legislation to ensure the City undergoes an orderly default process. On November 26, 0000, after he believes city leaders have begun to adequately address the crisis, he authorizes Congress to extend the City a line of credit.
- November 4, 0000—In what the press dubs the "Halloween Massacre," President Ford orders a reorganization of his cabinet. He names Donald Rumsfeld as Defense Secretary, Elliot Richardson as Commerce Secretary, George Bush as CIA Director, and Richard Cheney as White House Chief of Staff. Henry Kissinger remains Secretary of State; however, he turns over his duties as National Security Advisor to Brent Scowcroft. Under pressure from Republican Party Conservatives, Vice-President Nelson Rockefeller withdraws his name from consideration as Ford's 1976 running mate.
- November 15-17, 0000—Ford attends an economic summit at Rambouillet, France with President Valéry Giscard d'Estaing of France, Chancellor Helmut Schmidt of West Germany, Prime Minister Aldo Moro of Italy, Prime Minister Takeo Miki of Japan, and Prime Minister Harold Wilson of the United Kingdom.
- November 20, 0000—Former California Governor Ronald Reagan announces that he will challenge Gerald Ford for the Republican presidential nomination in 1976.
- November 28, 1975—Ford nominates Judge John Paul Stevens of the Seventh Circuit of the Court of Appeals in Chicago to the United States Supreme Court to replace retiring Justice William O. Douglas. The Senate unanimously approves Stevens by a 98-0 vote. He is sworn in on December 19, 0000.
- November 29, 0000—Ford departs for visits to People's Republic of China, the Philippines, and Indonesia.
- December 19, 0000—Ford opposes to the Tunney Amendments of the Defense Appropriations Bill but the Senate passes them. The amendments prohibit funding for US covert operations in Angola aimed at defeating the Soviet and Cuban backed MPLA factions in the Angolan Civil War.
- January 2, 0000—Ford vetoes the Common Situs Picketing Bill.
- February 18, 0000—In an effort to reform the U.S. intelligence community, Ford signs Executive Order 11905 to "establish policies to improve the quality of intelligence needed for national security, to clarify the authority and responsibilities of the intelligence departments and agencies, and to establish effective oversight to assure compliance with law in the management and direction of intelligence agencies and departments of the national government." This executive order also prohibits the United States from engaging in political assassination.
- February 26, 0000—Ford edges Reagan by 1,250 votes in New Hampshire primary, taking 17 of 21 delegates. This begins a string of primary victories for Ford which include Florida and Illinois before a series of losses from challenger Reagan in North Carolina, Texas, Georgia, Alabama, and Indiana.
- March 25, 1976—Ford sends a message to Congress requesting a special appropriation for the National Swine Flu Immunization Program. He signs the measure into law on August 12, 0000.
- June 20, 0000—Ford orders the evacuation of the US embassy in Beirut, Lebanon following the assassination of embassy officials on June 16.
- July 4, 0000—America's Bicentennial of independence. The year is marked by numerous head of state visits and state gifts to the United States. On July 4, President Ford attends events at Valley Forge, PA; Operation Sail in New York City; and in Philadelphia, PA.
- July 7, 0000—President and Mrs. Ford welcome Queen Elizabeth II to the White House for a state dinner as part of the Bicentennial celebration.
- August 18, 0000—When North Korean soldiers axe-murder two U.S. soldiers on a tree-pruning mission in the Demilitarized Zone, Ford weighs strong military action but decides on other measures.
- August 19, 0000—Ford is nominated at the Republican Convention edging out former California Governor Ronald Reagan. Ford names Senator Robert Dole of Kansas as his running mate. Public opinion polls following the convention have Ford trailing the Democratic nominee Jimmy Carter by wide margins. The Gallup poll favors Carter 56% to 33% and the Harris poll favors Carter 61% to 32%.
- September 13, 0000—Ford signs the Government in the Sunshine Act requiring that many government regulatory agencies must give advance notice of meetings and hold open meetings. The new law also amends the Freedom of Information Act "by narrowing the authority of agencies to withhold information from the public."
- September 15, 0000—Ford kicks off his general election campaign at the University of Michigan in Ann Arbor.
- September 23, 0000—First presidential campaign debate between President Ford and Governor Jimmy Carter in Philadelphia. This is the first presidential candidate debate since the Nixon-Kennedy debates in 1960.
- October 6, 0000—Second presidential candidate debate, on foreign policy and defense issues, in San Francisco. During the debate Ford comments that, "there is no Soviet domination of Eastern Europe and there never will be under a Ford administration." This misstatement is fodder for the press and public for the next several days.
- October 22, 0000—Third and final presidential candidate debate in Williamsburg, Virginia.
- November 1-2, 0000—President Ford attends his final campaign rally in Grand Rapids, Michigan at the Pantlind Hotel. He casts his vote on November 2 and attends the unveiling of the Gerald R. Ford mural by artist Paul Collins at the Kent County Airport before returning to Washington.
- November 3, 0000—Ford concedes the Presidential election to Jimmy Carter of Georgia. Ford loses the Electoral College 297-240 and receives 39,147,793 votes (48% of the votes cast) to Carter's 40,830,763 (50.1 % of the votes cast).
- December 14, 0000—Ford sends a letter to the Archivist of the United States and the President of the University of Michigan offering to deposit his papers in a Presidential Library to be built on the University of Michigan campus.
- January 12, 0000—In his final State of the Union Address, Ford tells Congress and the American People, "I can report that the state of the union is good. There is room for improvement, as always, but today we have a more perfect Union than when my stewardship began."
- January 20, 0000—Carter is sworn in as the 39th President of the United States. In his inaugural address, Carter states, "For myself and for our Nation, I want to thank my predecessor for all he has done to heal our land." Ford retires to Palm Springs, California and Vail, Colorado. During his retirement, Ford serves on various corporate boards, participates in many charitable causes, remains involved in many national and international causes and issues, participates in many Republican Party functions, and is called to service several times by later Presidents.
- March 9, 0000—President and Mrs. Ford sign contracts to publish their memoirs.
- March 24, 0000—Ford returns to the White House for the first time since he left office and meets with President Carter in the Oval Office. They meet for an hour and a half discussing a range of national and international issues.
- June 6, 0000—Ford's memoir, *A Time to Heal*, is published.
- Fall 1979—Ford considers another run for the Presidency in the 1980 election.
- March 16, 0000—Ford officially takes himself out of consideration for the Republican Presidential nomination, stating "... America needs a new President. I have determined that I can best help that cause by not being a candidate for President, which might further divide my party."
- July 1, 0000—At the Republican National Convention in Detroit, Michigan, representatives of Ronald Reagan and Gerald Ford attempt to work out the details of having Ford on the ticket as Vice Presidential nominee, but to no avail. However, many newspapers inaccurately report that Ford has been selected for the post.
- November 1, 0000—Ford appears on NBC's *Meet the Press* to discuss the Iranian hostage situation and stump for candidate Reagan.
- April 27, 0000—Ford dedicates his Presidential Library in Ann Arbor, Michigan.
- September 18, 0000—Ford dedicates his Presidential Museum in Grand Rapids, Michigan.
- October 10, 0000—At the request of President Reagan, Ford joins former Presidents Richard Nixon and Jimmy Carter as part of the official American delegation attending the funeral of assassinated Egyptian President Anwar Sadat.
- October 3, 0000—The Betty Ford Center is dedicated.
- November 10, 0000—Ford hosts a conference on the Presidency and the War Powers Act at the Ford Library in Ann Arbor, Michigan.
- December 1983—Ford makes a cameo appearance with Henry Kissinger on the ABC show *Dynasty*.

November 15, 0000—Ford joins former President Carter for a symposium at the University of Michigan on "New Weapons Technologies and Soviet-American Relations."

September 17–19, 0000—Ford hosts the symposium "Humor and the Presidency" at the Ford Museum in Grand Rapids, Michigan.

January–February, 0000—To mark the bicentennial of the U.S. Constitution, Ford participates in conferences with former President Carter at both the Carter and Ford Libraries entitled, "The Presidency and the Constitution."

October 1, 0000—Ford publishes *Humor and the Presidency* drawn from the September 1986 conference at the Ford Presidential Museum.

November 18, 0000—Former Presidents Jimmy Carter and Gerald Ford meet with President-elect George H.W. Bush to present the recommendations of the American Agenda Group, an organization of experts and former administration officials who studied the most critical issues confronting the United States.

April 6–8, 0000—Ford and many members of his administration participate in a conference at Hofstra University that examines the Ford presidency.

October 8, 0000—The University of Michigan retires President Ford's football jersey number 48 at halftime of the Michigan State game. It is only the fifth football number to be retired by the university.

August 12, 0000—Ford speaks at the Republican National Convention in San Diego, California on behalf of his former running mate and Republican presidential nominee, Robert Dole.

December 22, 0000—Following the House of Representatives' impeachment of former President Clinton, Ford co-authors a New York Times Op-Ed piece with former President Carter. They argue for a bipartisan resolution of censure as an alternative to an impeachment trial.

August 8, 0000—Ford writes an Op-Ed piece in the New York Times defending the University of Michigan's system of admission standards that use affirmative action.

August 11, 0000—Ford is awarded the Presidential Medal of Freedom, the Nation's highest civilian award, by President Clinton.

October 27, 0000—Ford receives the Congressional Gold Medal, the highest award bestowed by the Legislative branch.

September 12, 0000—Ford is present as The University of Michigan's School of Public Policy is renamed for him.

May 21, 0000—The John F. Kennedy Foundation presents Ford with the Profiles in Courage Award for putting the Nation's interest above his own political future with the pardon of Richard Nixon.

January 30, 2001—Former Presidents Ford and Carter are honorary Co-Chairmen of the National Commission on Federal Election Reform. The Commission presents its findings to the White House on July 31, 0000.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, first let me thank the chairman of the Armed Services Committee for his wisdom in identifying an appropriate way—one of the many, but very appropriate ways—we can honor President Ford. Jerry Ford is a dear friend to

Members of Congress and probably thousands of others. Regardless of party, he was someone who knew how to reach across the aisle. It was a matter of pride for him to reach Democrats as well as Republicans, to pull together in common causes.

We are particularly proud of Jerry Ford in Michigan. He is a proud son of Michigan. He went to the University of Michigan. He represented a district in west Michigan for a long period of time in the Congress. His Presidential library and his Presidential museum are both in Michigan, and they are the objects of a great deal of reverence, not just for the people of Michigan but for people who visit Michigan as well.

He came to be President at a time when we needed a healer, when we needed someone who would unify this Nation in a time of great turmoil.

We were in the middle of the Watergate crisis and the Watergate crimes. It was fortuitous that it would be Jerry Ford who would become President when President Nixon resigned.

Senator WARNER has read from one line of Jerry Ford's remarks on taking the oath of office as President. I thought I would close by reading a few other lines because he captured the sentiment and the feel of our Nation at a very critical moment in our history. Jerry Ford started his remarks on taking his oath in August of 1974 by saying:

The oath that I have taken is the same oath that was taken by George Washington and by every President under the Constitution. But I assume the Presidency under extraordinary circumstances never before experienced by Americans. This is an hour of history that troubles our minds and hurts our hearts.

He went on to say:

I have not sought this enormous responsibility, but I will not shirk it. . . . It is only fitting then that I should pledge to [all of the people] that I will be the President of all of the people.

A little later in his remarks, in addressing the people of other nations, he said:

I pledge an uninterrupted and sincere search for peace. America will remain strong and united, but its strength will remain dedicated to the safety and sanity of the entire family of man, as well as to our own precious freedom.

And then he said:

I believe that truth is the glue that holds government together, not only our Government but civilization itself. That bond, though strained, is unbroken at home and abroad. In all my public and private acts as your President, I expect to follow my instincts of openness and candor with full confidence that honesty is always the best policy in the end.

And then he added, as Senator WARNER has quoted:

My fellow Americans, our long, national nightmare is over.

The only other line I would choose to quote from his remarks is the fol-

lowing. It speaks so much of Jerry Ford and what he stood for and the reason he is held in such affection and esteem by all of our people, particularly by the people of Michigan.

As we bind up the internal wounds of Watergate, more painful and poisonous than those of foreign wars, let us restore the golden rule to our political process, and let brotherly love purge our hearts of suspicion and of hate.

So spoke Jerry Ford, and that is the way he lived his life.

I am delighted that Senator WARNER has taken the lead, as he has, to so identify this new class of nuclear-powered aircraft carrier. I thank him again for his graciousness, his sensitivity, and his wisdom in identifying this specific class of aircraft carriers to be named after a truly great man and wonderful son of Michigan, Jerry Ford.

Mr. WARNER. Madam President, I thank my dear friend, Senator LEVIN. I am deeply moved by this occasion, as you can tell. This is my last opportunity as chairman of the committee to present a bill to the Congress, and to have this amendment a part of the bill is very special, and to be joined by the distinguished Senator from Michigan to share in the honors of putting this to the Senate. You and I earlier discussed the traditions of naming ships. I draw on my knowledge as former Secretary of the Navy that it more often originates in the executive branch, for which I have the greatest respect. But somehow I felt it appropriate, since President Ford is a truly remembered part of the legislature of America, the legislative branch, having served so long there, that the naming of this ship have its origin here in the Congress which he so dearly loved. So we have joined together for that purpose.

Mr. LEVIN. And as Vice President, we will also claim him as a Member of the Senate as well.

Mr. WARNER. Oh, yes, once upon a time he occupied that chair, I say, with respect to the Presiding Officer, the President of the Senate, the one and only function and duty enumerated in the Constitution of the Vice President.

Madam President, I invite any other Senators who so wish to be added as co-sponsors. I have asked unanimous consent that their names be added as they indicate to the Chair, the Presiding Officer, their desire and that be kept open until the hour of, say, 5 o'clock tonight.

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

Mr. WARNER. Madam President, I think we are concluded on the amendments. We are proceeding in an orderly fashion. The amendment pending is that of the Senator from Illinois, Mr. DURBIN; am I correct, or has that been put forward yet?

Mr. LEVIN. I wonder if we could inquire of the Chair whether the Durbin amendment has been offered. I don't

believe it has yet. We agreed yesterday it would be next in line; however, there is an effort being made to work out the Durbin amendment, and I suggest Senator DORGAN be recognized.

The PRESIDING OFFICER. The Durbin amendment has not been entered.

Mr. LEVIN. We asked Senator DORGAN to come over and take over that spot.

Mr. WARNER. We ask that following that, we try to alternate amendments. The next amendment would come from our side, and I ask unanimous consent that the Senator from Pennsylvania be recognized for purposes of offering an amendment.

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

Mr. LEVIN. If the Senator will yield, I wonder if we could keep Senator DURBIN in line after Senator SANTORUM, subject to the work being completed on his amendment?

Mr. WARNER. Sure, the amendment would come next.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Let me thank Senator WARNER and LEVIN for their leadership on this legislation. This is a very difficult task, to put together the authorization for military expenditures and military operations.

I want to especially say I just walked in while they were talking about naming an aircraft carrier after former President Gerald Ford. That is a wonderful thing to have done. Gerald Ford gave great service to his country in the Congress, as Vice President, and as President of our country. I join them in acknowledging the significant achievements of President Ford and what he accomplished not only for himself but for this country as well. It is a great way to honor him, by naming an aircraft carrier for him.

Mr. WARNER. I thank the Senator.

AMENDMENT NO. 4230

Mr. DORGAN. Madam President, I send an amendment to the desk and ask for its immediate consideration. This amendment is sent to the desk on behalf of myself and Senators BINGAMAN, BOXER, DAYTON, FEINGOLD, JOHNSON, KERRY, KOHL, LAUTENBERG, LEAHY, MIKULSKI, NELSON of Florida, PRYOR, REID of Nevada, HARKIN, and WYDEN. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] for himself, Mr. BINGAMAN, Mrs. BOXER, Mr. DAYTON, Mr. FEINGOLD, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. PRYOR, Mr. REID, Mr. HARKIN, and Mr. WYDEN, proposes an amendment numbered 4230.

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

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

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

Mr. WARNER. Would the Senator allow me a brief unanimous consent request? The distinguished Senator from Michigan and I wish to alert the Senate that following Mr. DORGAN's amendment comes the amendment of Mr. SANTORUM and then Mr. DURBIN. So the order of amendments is Dorgan, Santorum, then we come back to Senator DURBIN, and then I ask unanimous consent that Senator MCCAIN be recognized for the purpose of offering an amendment.

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

Mr. WARNER. I advise the Senate we are, as we say in the Navy, well underway on this bill. The Senator from Michigan and I are anxious to learn from Senators their desire to have amendments. We will do the best we can to accommodate them because it appears now we will be able to remain in session somewhat longer this evening than originally anticipated due to the cancellation, I understand, of the White House picnic. I will consult with the leadership. It is my hope we can work on into the early evening.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. This amendment is a rather comprehensive amendment. I offer it on behalf of a good many of our colleagues.

I wish to describe why I offer this amendment. As I do that, I wish to acknowledge the outstanding work done by my colleagues, Senator WARNER and Senator LEVIN, in dealing with all of these issues. There is an area, however—given what has happened with respect to wartime expenditures in the military and also contracting outside of the military in the issue of reconstruction spending in the country of Iraq—there is an issue which I believe is of great seriousness. I think we have had some of the most significant waste, fraud, and abuse in the history of this country just in recent years, with a massive amount of money that is pushed out of this Congress, pushed out of the administration into the hands of contractors, into the hands of subcontractors, and then subcontractors from them in the country of Iraq. There is a massive amount of waste, fraud, and abuse. The fact is, we are not dealing with it the way we should.

I want to show a picture. This picture shows a fellow standing here whom I have actually met. This is a picture that was taken in the country of Iraq. These are one-hundred-dollar bills, wrapped in Saran wrap. This is \$2 million. These one-hundred-dollar bills were wrapped in Saran wrap to be the size of a small football. This fellow, by the way, said they actually threw some

of these around as a football there in this office.

What they were doing here as they took this picture, they were preparing to pay a contractor in Iraq named Custer Battles, named after two men, Mr. Custer and Mr. Battles. Why were they paying in cash? Because, according to this fellow, the word was: You bring a bag, we pay in cash. He said it was like the Wild West. So here is a couple of million dollars. This was going to go to Custer Battles. Let me just tell the story of Custer Battles. I will abbreviate it, but the story is these two guys show up in Iraq. They don't have a great deal of experience, have very little money, but they decide they are going to be a company now. They are going to be a company in Iraq, and they are going to provide security. They start bidding on security contracts. All of a sudden, they are given a contract to provide security at the Baghdad airport. The money starts rolling in. It turns out, before this is all over with, from what I have learned, Custer Battles Company got more than \$100 million in contract money for various things. This is just a part of the payment—in cash.

They have been charged with criminal behavior and fraud and other things. The allegations were that they took the forklift trucks off the Baghdad airport, put them in a warehouse, repainted them blue, and then sold them back to the Coalition Provisional Authority which was then running Iraq, which, of course, was us because the CPA was created by a document signed by the Secretary of Defense. So this company allegedly took the forklift trucks that existed at the Baghdad airport, for which they were providing security, put them in a warehouse someplace, repainted them, and then sold them back to the CPA. They also then created offshore subsidiaries in Lebanon and elsewhere to run money through and beyond.

We had a hearing on this subject. Here is what the director of security at the Baghdad airports said in a memo to the Coalition Provisional Authority that hired Custer Battles:

Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

That is a direct quote, yes. Let me read it again.

Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

Why do I raise this issue? It has been on "60 Minutes." We have had a hearing about it. It is an example of what has been happening in contracting, particularly in Iraq.

Let me just say that the minute you talk about contracting in Iraq, you

have to talk about Halliburton. The minute you talk about Halliburton, there will be those who will say: Aha, you are trying to talk about Vice President CHENEY, aren't you? No, not true. Vice President CHENEY is long gone from Halliburton. This is all about Halliburton in Iraq. It has nothing to do with Vice President CHENEY.

I want to go through some stories because they are very important.

There is a woman who was the top civilian contracting official at the Corps of Engineers over at the Pentagon. Her name is Bunnatine Greenhouse. Some have written about Bunnatine. She received a top evaluation over two decades from her superiors as one of the top procurement people in this country. She knew the law. She knew the procedure. She had worked over two decades and had always received top recommendations from her superiors. She was tough as nails and dedicated to safeguarding the taxpayers' money.

Then the Pentagon decided to award a very large no-bid, sole-source contract to a Halliburton subsidiary, Kellogg, Brown & Root, something called "Restore Iraqi Oil," or the RIO contract, which a number of my colleagues are familiar with.

Mrs. Greenhouse protested that the way this was done was in violation of proper contracting procedures. She later found that Halliburton was found by auditors to have overcharged \$61 million on a piece of the contract for fuel delivery, and instead of taking the company to task for Defense Department auditors finding \$61 million in overcharges, the top leadership of the Corps of Engineers rushed to Halliburton's assistance and provided the company with a waiver for the overcharges, a waiver of normal cost reporting rules, concluding that the prices were fair and reasonable. That waiver was provided without the approval of the top contracting official who was required to have signed it.

They kept the top contracting official, Mrs. Greenhouse, in the dark, and did so deliberately. She learned about the waiver when she read about it in the newspaper. When she spoke up, she was bypassed, ignored, and then ultimately forced to resign or be demoted.

This is what she told us. This relates to meetings that were held in the Pentagon prior to bidding. Halliburton was present in the meeting. She complained about the meetings being in violation by the way of the rules. Here is what Bunny Greenhouse said:

I can unequivocally state that the abuse relating to contracts awarded to KBR represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

This from the top civilian contracting official in the Corps of Engineers.

Does anybody care about this?

This woman, by all accounts, was judged to be at the top of her profes-

sion, with outstanding reviews always, until she blew the whistle on what she believed were abuses in contracting. When she blew the whistle, then things started to change very, very quickly.

She was demoted for having the courage to tell the truth. When she spoke out, they decided that they would replace Mrs. Greenhouse with a different Pentagon official. That different Pentagon official is now in this job. That person has over 40 years of Government service, but has none of that service related to procurement. So that person was selected to take this job knowing nothing about the job. They now have that person in training, going to school and training.

We have had plenty of examples of cronies. I believe seven of the top jobs in FEMA were filled not with people who knew anything about disasters but with cronies, people who needed a job. Stick them at FEMA. And then a hurricane hits and we have an agency that does not know what it is doing because you have a bunch of cronies involved in that agency.

Now we have a woman who was the top procurement official who blew the whistle on improper contracting, on both the Pentagon and also the company, and for that she was demoted and replaced by someone who is not certified as an acquisition professional and doesn't have the ability. She is now, according to General Stroock, "being brought up to speed on what it is she needs to know as a contracting official."

That is absurd.

Let me describe some of the firsthand eyewitness issues in Iraq.

Brand new \$85,000 trucks that were left on the side of the road because of a flat tire and then subsequently burned; 25 tons, 50,000 pounds, of nails ordered by Kellogg, Brown & Root, the wrong size, that are laying in the sands of Iraq; ordering hand towels for soldiers embroidered with the "KBR" logo, so they could double the price of the hand towels paid for by the American taxpayers; 42,000 meals a day charged to the taxpayers by Halliburton, by KBR, 42,000 meals a day being served to the troops each day paid for by taxpayers for the soldiers and only 14,000 are actually served; leasing an SUV in Iraq for \$7,500 a month; serving food at a cafeteria in Iraq for the soldiers, and a man named Roy who was the supervisor in the food service kitchen said that the food was date-stamped "expired." In other words, it had a date stamp, which meant the food wasn't good anymore, and he was told by superiors that it doesn't matter. Feed it to the troops. It doesn't matter that they had an expired date stamped—feed it to the troops.

What we have discovered is pretty unbelievable. I will not go on at great length because I have done it before

about the water contracts. We have direct testimony from physicians, Army doctors, and others about providing nonpotable water for shaving, brushing teeth, and so on that is in worse condition as water than the raw water coming out of the Euphrates River.

What was going on with respect to this contracting is unbelievable. I have just mentioned a couple of companies. There are more. I will not go on at great length.

I think when you are at war, when a massive quantity of money is being pushed out the door, that we ought to decide to get tough on those who would be engaged in war profiteering. The amendment I have offered has a number of provisions in it.

First, it punishes war profiteers with significant punishment. It is a piece of legislation that has been introduced separately here in U.S. Senate. That legislation was previously introduced by Senator LEAHY, but it is now made a piece of this larger piece of legislation.

We have a provision that would crack down on contract cheaters by restoring a rule that this administration rescinded, which the previous administration put in place as a rule, that says that if a contracting company exhibits a pattern of failing to comply with the law, they can be debarred and suspended. That ought to be the rule. If you have a pattern of cheating you ought to be suspended.

I have seen circumstances where we have had major defense contractors over in criminal court being judged guilty on the same day that they were over in the Pentagon signing a new contract. It is a slap on the wrist, a pat on the back. That isn't the way we ought to be dealing with this.

Punishing war profiteers, cracking down on contract cheaters, forcing real contract competition—it gets back to what Mrs. Greenhouse indicated. You can't do these no-bid, sole-source contracts for billions of dollars and decide it does not matter to the taxpayer. Of course, it matters. They are going to end up paying through the nose—and that is exactly what has happened.

There is another provision that would end cronyism in key positions. I know it doesn't deal just with defense with respect to that, but we ought to be expecting that people have some qualifications when they come to their job. The top procurement official at the Corps of Engineers has to be sent to training because she doesn't have the background. Why do they have the opening? Because they demoted the person that had the background, was given excellent recommendations in every performance evaluation, but was demoted because she had the courage to stand up and call the old boys network wrong when they tried to violate contracting rules.

The amendment also strengthens whistleblower protection. I think it is

really important that we strengthen protections for those who have the courage to stand up as whistleblowers and are willing to tell us what is happening when waste, fraud, and abuse occurs. I think we need to know about it and take action.

I have offered previously—and will again—legislation that would establish a Truman committee here in the U.S. Senate. The Truman committee was established in the 1940s when the Senator from Missouri went around this country to military bases and discovered substantial waste and fraud.

We should do that again. I believe we ought to have a Truman committee. I have offered it I think three times on the floor. I will offer it again.

But this amendment is different. This amendment is called Honest Leadership and Accountability in Contracting. It is a separate bill by over 30 my colleagues here in Senate, and I offer it in total as an amendment to the underlying Defense authorization bill.

My hope is we can have a discussion about this. I have simply scratched the surface about waste, fraud, and abuse that we have uncovered. It is pretty unbelievable. The American taxpayer shouldn't stand for it, and neither should the U.S. Congress, and we ought to take action right now on this piece of legislation. There is no better time than right now to decide we are going to do something about this on behalf of the taxpayers of this country.

I yield the floor.

Mr. WARNER. Mr. President, the ranking member, together with our leadership, had hoped to have a vote. That will not occur at this time. We are contemplating having that vote, which would be on the Dorgan amendment, at 3:45 today. At this time, I cannot speak to the finality of that. The leadership is considering that issue. In the meantime, I will address the Dorgan amendment.

The committee has been active in exercising oversight on the Department of Defense contracting, particularly in Iraq, and held a hearing earlier this year focused specifically on recent findings of the Special Inspector General for Iraqi Reconstruction. In addition, the committee held several acquisition reform and general contract oversight hearings this year.

I was particularly taken by some of the remarks of the distinguished Senator from North Dakota, Mr. DORGAN. We do not take lightly the message that he spoke to today. The Special Inspector General for Iraqi Reconstruction was established by Congress in October 2004 to provide oversight of the Iraqi relief and reconstruction fund and all obligations, expenditures, and revenues associated with reconstruction and rehabilitation activities in Iraq.

The SIGIR oversight is accomplished via independent audit, field inspec-

tions, and criminal investigations into potential fraud, waste, and abuse funds. The SIGIR submits quarterly and semiannual reports to Congress, the latest of which contains 29 audits of specific projects and activities. The SIGIR operates a hotline for reports of possible waste, fraud, and abuse and has uncovered criminal activity that has been referred for prosecution.

There are three separate GAO reviews ongoing specifically to review contracting practices in Iraq—DOD's efforts to identify and resolve cost issues on Iraqi reconstruction contracts, Iraq reconstruction contracts, and agency competition requirements for Iraq reconstruction contracts since fiscal year 2004.

The proposed amendment covers a range of policies introduced under the jurisdiction of multiple committees, including Homeland Security, Governmental Affairs, Judiciary, and Armed Services. Careful consideration and deliberation is required on a number of proposed provisions in the amendment. For example, one provision in the amendment addresses the issue of the role of contractors in performing inherently governmental functions. Definitions of "inherently governmental functions" and the role of contractors in supporting the Federal workforce in a variety of duties is an important issue, the resolution of which would have wide-ranging consequences and impacts. It deserves investigation and debate, not a few pages with a larger amendment attached to a major bill.

Another provision addresses broad workforce policy issues. The amendment contains a number of other problematic provisions with undefined terms of statutory requirements and disclosure requirements with questionable benefits. I know the committees of jurisdiction, including Judiciary and Governmental Affairs, will also want to review the details and impact of the proposed legislation and to relate it to the current statute and regulations. The Armed Services Committee conducted oversight on the larger policy issues related to emergency or contingency contracting and held a previous hearing in May 2004 specifically on contract management in Iraq.

The committee has also held a number of Iraqi related hearings and briefings where Iraqi contracting issues have been discussed.

Frequent bipartisan staff briefings on Iraqi contracting have been conducted with DOD, GAO, DOD IG and SIGIR officials. Issues identified in the May 2004 hearing and in these briefings related to security contractors in Iraq and insurance costs have been the subject of legislation in the last two authorization bills. This year's authorization bill builds on these reforms with legislation specific to effective and accountable management of large programs and projects in hostile environments.

Problems identified such as improper billing, overcharges, and fraud against the government are addressed through existing mechanisms to identify these acts and punish those who defraud the government. For example the False Claims Act provides for criminal and civil sanctions. It is important we adhere to due process protections for debarments and suspension of contractors.

Department of Defense 7640.2—Contract Audit Followup system—implements OMB Circular A-50—requires tracking of all audit reports with significant audit findings and is monitored by the DOD Inspector General, and includes semi-annual reports to Congress. Virtually all Defense Contract Audit Agency audits are subject to this followup tracking system.

The PRESIDING OFFICER (Mr. THUNE). The Senator from Pennsylvania is recognized.

AMENDMENT NO. 4234

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

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM] proposes an amendment numbered 4234.

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

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

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

Mr. SANTORUM. Mr. President, this is an amendment that I spoke about yesterday and which I wanted to bring to the floor. I think it is a very important one. It is an amendment that is embodied in the bill I introduced last year dealing with Iran. It now has 61 cosponsors.

We have had lots of debates on the floor of this Senate. We have not had a debate on what I believe is the greatest foreign policy threat to this country at this time; that is, Iran, what our policies should be toward Iran, and what we as a Congress and the Senate should do with respect to supporting the President's policy or modifying the President's policy with respect to Iran.

This legislation which I have introduced as an amendment brings together a couple of pieces of legislation into this one amendment. Before I describe what the amendment is about, let me describe what I believe is the problem that faces us and then lay out a prescription of what Congress can do in the interim to support the process of a diplomatic or peaceful solution to the problem that I am about to describe.

It is not a surprise to anyone reading the papers that Iran is in pursuit of a nuclear weapon. They are fairly clear

about their desire to gain more nuclear technology. They have been very clear about their desire to enhance their ability to reprocess uranium. It is also clear to observers that they are doing so with the intent of developing nuclear weapons.

As a result of that, the United States has been engaged in discussions, both with multinational organizations, as well as with some of our allies who are similarly concerned about this attempt by Iran to develop this type of capability, to get them to cease to do so. We have had attempts by the Russians to get them to rely on them for this technology. We have now seen recent efforts by the United States and a group of countries to approach Iran in multilateral talks about the possibility of getting a different type of nuclear reactor there that does not lead to the potential for development of nuclear weapons. We have seen a whole host of attempts on the part of the world to keep nuclear weapons out of the hands of this regime.

The question is, Why? What is the great concern about Iran? Why do we have more concerns about them than, say, other countries in the Middle East and in southeast Asia which have, in fact, developed nuclear weapons?

The answer to me is obvious, but it is important we lay that out as to what the great threat to this world is if Iran has the nuclear capability they seek to develop.

We are fighting a war right now and everyone focuses on the war in Iraq. Certainly that is important and that is the major field of battle right now, but the war in Iraq is part of a broader war. The President described it as a war on terror. I prefer to describe it as a war on Islamic fascism, Islamic extremism. The President has referred to it as Islamic totalitarianism. It is a movement within Islam, within the Middle East, within southeast Asia, but it actually goes beyond the Middle East and southeast Asia that believes in, eventually, the domination of the entire world under this rather radical ideology, this fascist ideology.

This is not one particular group or one particular faction that is in charge. This is not one group—al-Qaida or Islamic jihad or the nation State of Iran—but it is a mosaic of different organizations, some of which are not necessarily allied with each other but coordinated with each other.

We saw that the other day when Abu Mus'ab al-Zarqawi was killed. We saw Hamas come forward and call this al-Qaida leader a brother in the struggle. These are not organizations, at least from all of our intelligence, that are closely tied, but they have a common theme. Even though they have different views of Islam, they have a general idea of a war, a jihad, against the West and against the infidels, if you will.

So we have this mosaic of different organizations, different Islamic fascist organizations. They are commonly called within the media terrorist organizations. Terrorism is just the tactic they use. What ties them together is not just their terrorism but their ideology. Although there are different strains and different ideas, they are tied together in a common theme at a common enemy, more importantly.

The largest piece of this mosaic, the dominant piece of this mosaic—and it is the dominant piece because it happens to be the biggest piece with the biggest wallet, the most resources—is Iran. The mosaic is a big mosaic, but the major piece which tends to touch all of the other pieces in one way or another is Iran. Iran not only supports these organizations—some of them very directly, others very indirectly—but it is itself a threat to the world.

How do we understand what this threat is to America? We only need to look at the new leader of the country: Ahmadinejad is the new President. To Americans, the President is the leader of the country. In Iran, the President is an important position but traditionally has not been the most important position within the country of Iran. However, it seems to be that Ahmadinejad has taken that position to a new level because of his support from the ruling clerics within the country. As we know, this is a country ruled by these clerics, these mullahs. And the lead mullah is a spiritual adviser to Ahmadinejad, a supporter of his. He has been very forthright about what his design is. He has been very forthright. He has stated publicly that he would like to wipe out Israel off the face of the Earth. This is a leader of a country that is trying to develop nuclear weapons, that has the resources and the capability if not stopped to do so, that has been very clear about its desire to use these weapons to eliminate the State of Israel.

He has also made a lot of other comments that would lead one to believe he does not want to stop there with respect to his designs on the war against the "infidels."

So we have in the person of this President a character that has the resources, is developing the technology, has the desire, and wants to use this capability if it was developed, and has said so publicly, repeatedly. That is a pretty serious threat. In fact, I can think of no other threat that is more serious than that. This man and this country is actively pursuing the development of these weapons. I don't know of anyone in the world who does not believe that is what Iran is doing.

The Senate has, so far, not taken any action to try to deter that development, to try to change the political dynamic within Iran. Obviously, we have not taken any action to pursue any military force to stop them from doing so.

These are our three options, the way I see it: to get some sort of political dynamic going on within the country to change the regime; to impose sanctions or to get collaboration with other governments to stop them from developing these weapons; or, third, a military option.

I don't think we are prepared at this point to offer a military option, but with this amendment I am offering the other two. I am offering an amendment that will both support and codify Executive Order sanctions already in place against Iran; impose additional sanctions, not on Iran but on other entities that are doing business with Iran; and then try to impose a prohibition on importing into this country nuclear fuel assemblies made outside of this country if they do business with Iran.

Companies have to make a choice whether they want to do business with Iran or whether they want to do business with the United States. That is the sanctions part of it. So we need to enact these provisions because a lot of what is in place right now is done through Executive Orders. Part of the amendment directs the President to cut off foreign assistance to the host country of a company investing more than \$20 million in Iran's energy sector; allow the President to waive that under certain circumstances—and, by the way, that is a prospective investment. It is very important we send a signal to companies and countries that if they are going to continue to support this development within Iran, there are consequences to the country and to the company for continuing to do that.

There are a variety of different sanctions we place in this legislation. By the way, the sanctions portion of this legislation has already passed the House of Representatives. It passed by a vote of over 300 votes in the House—well over 300 votes in the House. So the House has already spoken on this issue, has already said we want to codify the sanctions that are in place. We want to impose new sanctions on companies and countries that do business with Iran, particularly in their energy sector, and we want to make companies choose between doing business in the United States with respect to the nuclear program versus Iran and the nuclear program.

Mr. WARNER. Will the Senator yield?

Mr. SANTORUM. I am happy to yield.

Mr. WARNER. Could the Senator state the time when the House cast that vote?

Mr. SANTORUM. April of this year.

Mr. WARNER. It seems to me that vote preceded some remarkable developments which have taken place in the international forum within our country. With the great leadership of the Secretary of State, Condoleezza Rice, we have taken some strong initiatives

to try and resolve primarily the issue of the desire to proceed with the weapons of mass destruction effort, but there are a lot of collateral ramifications to these important talks.

The House vote is of record, but we should let our colleagues know that vote took place way before what I regard as rather dramatic developments with respect to the international consortium of nations—Great Britain, France, United States, and now recently both Russia and China participating in some way.

Does the Senator think the amendment is wise in light of what is taking place now?

Mr. SANTORUM. Mr. President, I would say that the developments have been—I would not call them dramatic. I would say they are modest in this respect: they are modest in the sense that the United States, for the first time, has decided to join with other countries in making an offer to Iran. The wisdom of that can be debated.

What would be dramatic is if Iran would seriously consider doing what is being suggested, and I don't see any indication they are willing to do so nor do I anticipate their willingness to do so.

My concern is—and the President has been very clear about this—that Iran is already jockeying around, seeming to extend the time for consideration and drawing this out, certainly, to their advantage. If you are developing a program, and you are actively pursuing developing a capability, the longer you can stall any action by your adversaries to stop you from doing so, buying that time is of great value to Iran.

What we are seeing with this development already, Iranians are trying to buy time.

The President has said, and I am not sure the other countries have been quite as firm as the United States has—that they have weeks, not months, to make this decision.

However, I have seen no indication that the Iranians are anywhere near accepting this proposal. I will make the argument that this is actually a very good time for the Senate to speak and say we see this as a very serious issue, that we need to at this point speak into this very critical juncture.

I would say it is more important now that we have this vote, or more important now that we pass this, to show the Iranians that both Chambers support this President in his desire, our country's desire, a bipartisan desire, to see that Iran does not develop this capability. The Senate going on record, codifying sanctions, increasing sanctions and, the point I did not get a chance to discuss but I will momentarily, funding prodemocracy, authorizing funding for prodemocracy groups, and for more communication, public diplomacy within the country of Iran to communicate to the dissidents with-

in Iran and encourage the dissidents within Iran is exactly the kind of message we want to send if we want to force the Iranians' hand to actually come to the table.

I think pulling this back, in my mind, would be seen by the Iranians as a sign that the U.S. Senate does not support this President, does not support getting tough. Because the President has been very clear: If the Iranians do not come to the table here, they are going to seek resolutions at the U.N. to begin the process toward a different way of resolving this dispute—maybe that is the best way to put it—in a way that could be a lot more confrontational.

So I think the Senate speaking at this moment is actually critical for us to force the Iranians' hands. I am not particularly hopeful, by the way, that the Iranians will come to the table or will agree to any of the provisions that the groups have laid out. I understand why the President has done so. I do not believe they have any desire to comply.

I think it is important for us not to blink. I think this is a moment for us to deal with this issue, to debate it here, and to vote on it or to approve this amendment to send a very clear message to the Iranian Government that we stand four square behind this President and this administration in doing what we can here at this point in time both from the standpoint of sanctions as well as supporting a change of regime from within Iran.

Mr. WARNER. Mr. President, I thank my colleague.

Yesterday, the Senate had an opportunity to visit with the Secretaries of State and Defense. I believe my distinguished colleague from Pennsylvania was there, as was I. And while those discussions are private in nature, I just simply say that with those discussions, combined with other discussions and communications I have had with the Department of State, I am somewhat more encouraged about the prospects of the negotiations now taking place than perhaps my colleague from Pennsylvania.

My main concern is, given the fragility of the situation with regard to these negotiations, the almost overriding importance of the question of the weapons-of-mass-destruction issue, and the need to have Iran publicly begin to cooperate with the IAEA and other organizations to prevent the proliferation of that type of weapon—I just wonder, had the Senator thought about maybe an effective date of this amendment to give some reasonable period of time for these negotiations to take place as to the effective date of the amendment?

Mr. SANTORUM. Mr. President, what I would certainly say to the chairman is, this is the Defense authorization bill. We will probably be here the remainder of this week and maybe

going into next week finishing this bill. Usually, the Defense authorization bill takes months to be able to discern the differences between the two bodies, of which this amendment, pending in this legislation, will be part of that discussion.

So I do not anticipate there will be any final resolution to this particular amendment that I am offering until several months. If the President is serious about what the President has said, that they do not have months but weeks, I do not anticipate that anything we do here today will have any impact on the deadline or any of these negotiations.

I think what they will do is signal to the Iranians that not only is the House serious about this, but even now that they are engaged potentially in a negotiated settlement, that the Senate is serious about pursuing this if, in fact, the Iranians do not come forward with an agreement.

If there is an agreement, we may want to take another look at this. But I do not think any harm is done by passing this legislation and putting us in the conference so if, in fact, things do not go well or if, in fact, we believe—whatever the result is of these negotiations—that it is important for us to go on record on some of these or all of these things, that we are in a position to produce a bill relatively quickly and send that message.

Mr. WARNER. Mr. President, I certainly respect the views of my colleague who once served on the Armed Services Committee. I regret that the Senator felt there were other areas where he could serve his country other than in our committee. But we still consider him a member of the committee.

The Senator is quite accurate that it is likely that this bill will be before this body into next week. I am hoping to conclude next week. Then, of course, there will be a period of time thereafter in which we will have a deliberation between the two bodies in the conference.

But I would like to have some additional time today for purposes of consultation. I assure the Senator, he has a right to move forward, as he has sought to do at this time. I say to the Senator, if you can indulge the chairman in trying to schedule such action as may take place on this amendment at some point today, a little later than now, I would be appreciative of that.

Mr. SANTORUM. Mr. President, I have tremendous respect for my former chairman. I say to the Senator, I served 8 absolutely remarkable and wonderful years on your committee, and got to serve under Senator Thurmond and then your great leadership. I certainly will do everything I can to work with you to make sure we can come to some agreement as to how we can dispose of this amendment, whether it is a vote or whether it is accepted

or whatever the case may be. I am certainly not going to push for a vote today if that is not what you desire. But, obviously, this is a very important issue.

I remind the chairman there are 61 cosponsors on a similar piece of legislation, and it has very broad support here in this body from both sides of the aisle. It passed, as I said, with well over 300 votes in the House. And this issue is quite timely. So I would be happy to suspend any request for votes until we can negotiate how we would dispose of this amendment.

Mr. WARNER. Mr. President, I thank my colleague. He is recognized as one of the leaders of our party, and he is very cooperative with regard to all legislative matters.

My understanding is the Dorgan amendment is the pending amendment; is that correct?

The PRESIDING OFFICER. The Santorum amendment is now pending.

Mr. WARNER. I see. And we did not move on the Dorgan amendment as of yet.

The PRESIDING OFFICER. The Dorgan amendment was set aside.

Mr. WARNER. Set aside. At the appropriate time, will the distinguished Senator from Pennsylvania, when he completes his remarks, move to have this amendment set aside for the time being?

Mr. SANTORUM. I would be happy to do so after we have had discussions about how we can dispose of this amendment, absolutely.

Mr. WARNER. I thank the Chair.

Mr. President, I see our colleague from Maine, a member of the committee, and in due course I expect, after the completion of the Senator's remarks, the Senator from Maine can be recognized.

Mr. SANTORUM. Thank you, Mr. Chairman.

Mr. President, if I can just finish the explanation of the legislation, I talked about the sanctions portions of this legislation. The final component of the legislation deals with what we call the pro-democracy side. This is very interesting. I introduced this legislation last year. Actually, I introduced it 3 years ago. It provided, at the time we introduced it 3 years ago, \$10 million for the pro-democracy component of this.

I felt very strongly this was really the key to this legislation. In fact, just meeting a few weeks ago with a student dissident who had recently escaped from Iran, I am even more convinced there is a strong anti-regime movement within Iran. There is a very strong pro-American component of the Iranian population that understands the tremendous effort that our country has put forward in Iraq and Afghanistan, and, like most people around the world, seek self-determination and freedom. It is very important for us to

communicate that in unequivocal terms.

One of the concerns I have with the diplomatic efforts being taken right now is that we are potentially muddying the waters somewhat with respect to our opinion of the regime in Iran. I want to make it very, very clear that personally that regime is the greatest threat to this country and must be removed. That is how I feel. Now, that is not in this legislation. But that is, to me, one of the highest national security priorities of this country.

I think the best way to do that under the current circumstances is to support pro-democracy groups, to support groups that would like to see changes within Iran and peaceful changes.

The one gentleman I met with just recently, a couple weeks ago, was very clear about the intention of at least the student movement within Iran to be a peaceful movement, similar to what happened in the old Soviet Union. They believe they can, in fact, rally support. But they need support. They need resources. They need to communicate. One of the things this legislation does is provide not \$10 million but \$100 million for that purpose. The reason I talk about the difference is that in the interim the President, thankfully, took some of the provisions of the Iran Freedom Support Act, which is the bulk of this amendment that I am proposing today, and proposed that in the emergency supplemental that he sent up and that we will be voting on, in all likelihood, tomorrow. So that money is being appropriated, in this case, before it is being authorized. But this is the authorization, and sets an authorization level of \$100 million, which is what the President's request was.

Excuse me, the President's request was \$75 million. We make it \$100 million.

So we think this is important to send another strong signal that we support efforts for peaceful change within Iran, that we support those who on the evening of 9/11 stood in the city of Tehran in candlelight vigils in support of Americans. We support the Iranian people who would like to see the oppression end in that country that they have suffered under now for over 25 years. So this is a vitally important component of this authorization, and it is a very important signal to the people of Iran.

When I met with that student leader a few weeks ago, he told me how evil this regime was on a personal level, not only with his imprisonment for leading student protests, but also with the current group of students who are, in the eyes of the regime, a great threat to the future of that regime. He talked about how his sister, who is a student at one of the universities in Iran, recently had to sign a document as a con-

dition of attending the university. The document was a commitment to be a suicide bomber.

So now every student in colleges within Iran has to sign a document pledging their commitment to be a suicide bomber. In fact, shortly after those documents were signed in every university in Iran, they conducted training courses for the students on how to strap on and detonate a suicide bomb.

This is the enemy we are confronting. This is why I think it is important for us to step forward now and have this debate, to step forward now and pass this legislation, to send a signal now, while they are deciding whether to engage the United States and the free world in the pursuit of peaceful nuclear energy as opposed to nuclear warheads. It is important for the Senate to act. This is our moment in history. This is the great threat that faces us. This is the war we are currently engaged in, and this is the principal player on that stage today. We must act.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, is the floor open to debate on the underlying bill, or would the Presiding Officer advise me as to the pending business?

The PRESIDING OFFICER. The Senator may debate the underlying bill.

Ms. COLLINS. I thank the Chair.

I rise in strong support of the fiscal year 2007 National Defense Authorization Act. This legislation provides essential resources to our troops, whether they are engaged in combat in Iraq and Afghanistan, in training and service at home, or in deployments in other countries around the world. I thank my colleagues, the distinguished chairman and ranking member of the Armed Services Committee, Senators WARNER and LEVIN, for putting together an excellent bill and also for their strong commitment to our Nation's Armed Forces.

Through the leadership of Chairman WARNER and Senator TALENT, the Seapower Subcommittee chairman, the legislation before us strengthens our Nation's shipbuilding program by authorizing construction of eight new ships and by providing \$12.1 billion in shipbuilding moneys, an increase of \$1.5 billion above the President's request. This legislation wisely focuses on the declining size of the Navy fleet and takes significant strides toward strengthening the shipbuilding program. It also provides some much needed stability for the industrial base that will be called upon to build and sustain the current force and the future fleet.

The Chief of Naval Operations, Admiral Mullen, has put forward a 313-ship long-range Navy shipbuilding plan that is a genuine effort to address longstanding congressional concerns that

Navy shipbuilding has been inadequately funded and has lacked stability from year to year. Past instability has made it difficult for shipbuilders to plan their businesses. That degree of instability, coupled with less-than-economic production rates, has contributed to significant cost growth in naval shipbuilding programs. The CNO's plan, combined with more robust funding from Congress, will begin to reverse the dangerous decline in Navy shipbuilding.

I am pleased that this bill provides full funding for the DD(X) destroyer program, including split funding of the first two ships' detailed design and construction. The DD(X) is so important to our future national security. This ship will have high-tech capabilities that currently do not exist on the Navy's surface combatants. These capabilities include far greater offensive and precision firepower, advanced stealth technologies, numerous engineering and technological innovations that will allow for reduced crew size and thus help to reduce the lifecycle cost of the ship and sophisticated, advanced weapons systems such as the electromagnetic rail gun.

Constructing the first two DD(X)s in 2007 and 2008 will contribute to the sustainment of our Nation's highly skilled shipbuilding workforces, including the employees at Bath Iron Works in my home State of Maine. I am very proud of these highly skilled workers and their contributions to our Nation's defense. Split funding between the first two DD(X) ships is a key component of the CNO's 313-ship plan and will make an important contribution to stabilizing a critical naval shipbuilding program, allowing for a more steady plan for the fragile dual-source service combatant shipbuilding industrial base, and achieving long-term program affordability through stability and other ongoing Navy and industry initiatives.

Split funding for the DD(X) also supports cost-effective construction activities at both of our shipbuilding yards that concentrate on surface combatants. That will help stabilize and preserve two shipyards in order to meet future Navy requirements. If there were ever any doubt about the need to have two shipyards capable of constructing surface combatants, surely those doubts were put to rest by the extensive damage that Hurricane Katrina caused at the Ingalls Shipyard. We simply cannot afford to have only one shipyard that is capable of responding to the needs of our Navy for capable advanced surface combatants. That is why it is so critical that our procurement strategies recognize that and are developed and designed to sustain both yards.

In doing so, we are helping the Navy meet its needs. Our naval fleet has been declining for far too many years. This bill will take a significant step to-

ward stability and meeting the requirements that exist.

The high priority placed on the DD(X) program in the Senate version of the Defense authorization bill stands in stark contrast to the House Defense authorization bill that recommends full funding for the procurement of only one DD(X) and does not adopt the critical split funding approach. Failure to support the budget for two DD(X)s would exacerbate the production gap facing BIW in Maine and would pose a significant risk to the DD(X) program that the CNO has so strongly endorsed and that the committee has consistently supported. Navy officials testified before the Senate Armed Services Committee that authorizing only one DD(X) in fiscal year 2007 would result in the following negative consequences.

First, it would cause significant program delay and disruption. Second, it would increase program costs. Third, it would have a negative impact on the shipbuilder industrial base. Fourth, it would defer the planned competitive contract awards from 2009 until at least 2011. And, finally, it would force the Navy into a lead-follow scenario that would require an additional \$450 million in shipbuilding funds. Approval of split funding is, therefore, critical to moving the DD(X) program forward. It strives to keep both DD(X) shipbuilders on an equal footing during this key transitional period.

Furthermore, the House version of the DOD authorization bill recommends reducing the overall DD(X) program to only two ships, a significant decrease from the Navy's requirement for a minimum of seven DD(X)s as part of the 313-ship plan. At one point a couple of years ago, the Navy said it actually needs 12 DD(X)s. I still believe the military requirements suggest that that is the accurate number. But for the House committee to slash the number of ships under this program to two would seriously jeopardize our national security. I hope we will proceed with the Senate's much better plan to proceed with a minimum of seven DD(X) ships.

I am also pleased that the committee agreed to my request for \$25 million in funding to accomplish planning and engineering for the modernization of the DDG-51 Arleigh Burke destroyer class. This program, which has been in effect in the past few years, is already showing significant promise of significant savings to the Navy by applying some of the technology that is being developed for the destroyer of the 21st century, the DD(X), and backfitting the DDG. This has the potential, for example, to reduce crew size on the retrofitted DDGs by about 30 to 40 sailors. That certainly is significant as well.

The Senate's fiscal year 2007 Defense authorization bill also includes funding for other important defense-related projects that benefit Maine and our na-

tional security. For example, it includes additional funding for the Mark V fast patrol boat that is being developed at a shipyard in Maine, in conjunction with the University of Maine. It also provides \$2 million to the University of Maine's Army Center of Excellence in order to continue the design and testing of lightweight ballistic panel tent inserts made from composite materials. These potentially lifesaving panels protect our troops from insurgent attacks when they are sheltered in temporary dining or sleeping facilities in hostile environments. This is particularly important to the State of Maine because we lost National Guardsmen in Iraq who were eating in an unprotected mess tent. Had we had those composite ballistic inserts for this tent, truly, I believe, lives and injuries would have been saved and avoided.

The legislation also authorizes \$9.6 million for the Portsmouth Naval Shipyard and Drydock Waterfront Support Facility in Kittery, ME. This will replace the current submarine support center that is more than 60 years old and poorly designed for current use.

This legislation also provides much needed funds for other national priorities. The legislation authorizes incentive payments for civilian health care providers who provide services to TRICARE beneficiaries in rural and medically underserved areas. I know that is a concern of the Presiding Officer as well. Any of us who represent rural States realize how difficult it is to ensure an adequate supply of health care providers.

It also follows on the Senate's action earlier this year by repealing provisions of the Survivor Benefit Plan that require the offset of military retirement annuity payments by amounts received for dependency and indemnity compensation. It authorizes acceleration of the effective date of the paid-up provision from October 1, 2008, to October 1, 2006, for retirees who reach age 70 and have paid premiums for 30 years.

Finally, let me again, since the distinguished chairman is now in the Chamber, commend him for his extraordinary leadership and dedication to the men and women who are serving in our Armed Forces. We are very fortunate to have such a talented and committed chairman and ranking minority member as we do on this committee. I am very proud to be a member. I offer my full support to the important legislation before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank our distinguished colleague from Maine. She is a valued member of the Senate Armed Services Committee. She has taken enormous interest in shipbuilding. Obviously, she has one of the world's finest yards in her State.

Nevertheless, naval power and seapower are of great interest to the Senator from Maine. I thank her for her remarks and her strong participation as a member of the committee.

Ms. COLLINS. I thank the chairman.

Mr. WARNER. Mr. President, at this time, it is our hope and expectation that we will have another amendment soon brought to the floor.

AMENDMENT NO. 4230

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I want to particularly commend the Senator from North Dakota for sections 1521 and 1522 of his amendment which address the issue of competition in contracting. This is an issue that I have been concerned about since I worked with Senator Bill Cohen to enact the Competition in Contracting Act in 1984.

Sections 1521 and 1522 in Senator DORGAN's amendment build on the principle that the Federal Government, taxpayers, and Government contractors all benefit from the competitive award of Federal contracts. I was pleased to work with Senator DORGAN and his staff in drafting these particular provisions of his amendment.

Over the last 10 years, the Government Accountability Office, the Department of Defense Inspector General, and others have documented numerous shortcomings in the application of competition rules by Federal agencies. These problems have included, one, numerous unjustified sole-source awards under Government-wide, multiple-award contracts. Some studies have indicated that more than 50 percent of such awards have been made on a sole-source basis. Second, the award of huge what are called indefinite delivery/indefinite quantity, or IDIQ, contracts—some of them in the billions of dollars—go to individuals, individual contractors, rather than multiple contractors.

These single awards—these indefinite delivery and indefinite quantity contracts—basically give a single contractor the right to sole-source award of innumerable highly lucrative projects. Such contracts include the highly visible contracts awarded to Halliburton relative to Iraq.

Sections 1521 and 1522 of the Dorgan amendment would address these problems by prohibiting, with limited waiver authority, the issuance of long-term, open-ended contracts, like Halliburton's LOGCAP contract, to a single company. Federal agencies would be required to issue such contracts to more than one company so that they could compete with each other for work, unless the agency makes a determination that it is not practical to do so and reports that determination to Congress. That section of the amendment would also extend to civilian agencies a legislative provision that we wrote 4 years ago to eliminate abusive

sole-source awards and ensure competition when Department of Defense officials place work orders under multiple-award contracts, and we would authorize bid protests for task orders in excess of \$500,000 under multiple-award contracts.

So I commend our colleague from North Dakota for offering this important amendment. I support this amendment. I hope the Senate will adopt it and not table it because it includes many important reforms and changes in our contracting process to address some of the abuses that have been identified by the expert agencies that we actually utilize and hire to do these kinds of reviews.

Mr. President, I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, the Senator from Florida desires to speak regarding the National Guard. For that purpose—oh, yes, Mr. President, I had indicated to the distinguished Senator from Texas that she could speak. She wanted how much time?

Mrs. HUTCHISON. I wanted 10 minutes.

Mr. WARNER. Why doesn't the Senator from Texas go first.

Mr. LEVIN. The two Senators will be recognized in that order?

Mr. WARNER. Yes. The Senator from Texas and the Senator from Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

SUPPLEMENTAL APPROPRIATIONS

Mrs. HUTCHISON. Mr. President, I thank the distinguished senior Senator from Virginia for allowing me to take this time to speak about the supplemental appropriations bill. I certainly want to start by saying that I think the authorization bill that is before us is a good bill that will authorize the spending for our troops in the field. I plan to speak separately on that later in the week.

Today, I want to talk about the supplemental appropriations bill that the Senate will pass at 10 o'clock tomorrow because this is a very important emergency supplemental. Obviously, the majority of this bill, \$70.4 billion, is for our military. It is to make sure that we support our men and women in the very important mission that we have asked them to do. I cannot imagine sending our troops into harm's way and not assuring that they have the equipment they need to do the job. So we are doing that in this bill—\$70.4 billion for uparmoring of vehicles, for more aircraft, and the Bradley fighting vehicle upgrades that they so desperately need.

I am going to take this opportunity to say what a tremendous achievement we have had this week with the death of Abu Mus'ab al-Zarqawi, the head of the operation in Iraq that was behind the heinous crimes on the streets of Iraq day after day after day that we have been seeing. The man who was the mastermind of those atrocities is now gone. It is a significant victory for the intelligence capabilities of our country and our military personnel who achieved this remarkable feat. I hope this will begin another phase in the stabilization of Iraq.

Clearly we need to assure that our troops have what they need to do the job. Part of what is in this supplemental appropriations bill is money for training of Iraqi troops, because if we are going to stabilize Iraq, it is going to be with Iraqi security forces. That is what the Iraqis want, it is what we want, it is what our allies want, and it is certainly what the people of the world who believe in freedom want for the people of Iraq.

The other part of the bill is one that is very important to my home State of Texas, as well as to Louisiana, Alabama, Mississippi, and the other States that have suffered so much from hurricanes last season. We have never seen the ravages of a hurricane like we saw after Katrina and then Rita following so closely after that.

This bill, for the first time, has begun to acknowledge the part that my home State of Texas played in this recovery effort. We had a situation we have never had before in the history of our country. The first hurricane, Hurricane Katrina, did not hit Texas, but Texas had a major part in the disaster recovery. That is because 500,000 people were moved from Louisiana to Texas almost overnight. It was the biggest migration from one State to another in our country's history.

It has been a costly endeavor for the people of Texas, one which they have stood up and handled with grace beyond any imagination. But it is time that we reimburse the people of Texas because some of our communities are having to increase taxes to carry the burden, and that is not right. It was a natural disaster for which Texans stepped up to the plate, because we are a neighboring State, to try to handle, and now we have suffered the consequences. This bill helps us in that recovery effort.

The first part that is so important for us is the equity in reimbursement rates for the communities hit by Hurricane Rita. Since Hurricane Rita hit in September of 2005, the counties on the Louisiana side of the Sabine River have been able to put up 10 percent, with a 90-percent Federal reimbursement. This has been very helpful to the people of Louisiana. But on the other side of the Sabine River, where the same hurricane hit, our counties have had to

put up 25 percent of the cleanup. The result is that much debris has never been cleaned up.

Furthermore, we have infrastructure that has not even begun to be repaired. Some counties, in doing the original cleanup, contemplated bankruptcy. They have talked now about having to raise the property tax rates to pay for the cleanup, and some have borrowed money and issued bonds to try to do the cleanup. Bond issues should never be used for that kind of an emergency or any kind of operational expenditure. Bonds are for capital expenditures. They knew that it was not good public policy, but they had no alternative because these are counties which are rural, not rich in property values, and it was a huge strain.

In this bill, those 22 counties in East Texas will get the reimbursement rate that has been given on the Louisiana side. I am so grateful to the Senate for doing this in a way that does allow equity for the first time since last September. This has been such a relief to these counties. I have had calls from mayors and county judges who were almost giving up hope because they did not know how they would manage this crisis, and now they see light at the end of the tunnel.

I thank my colleagues for supporting this bill. I know the bill will pass. I particularly thank Senator COCHRAN, Senator BYRD, Senator GREGG, Senator COLLINS, Senator SPECTER, Senator LIEBERMAN, and Senator KENNEDY. It was these Senators who helped us get through the equity in reimbursement that will so help our East Texas counties.

The other part of this hurricane relief bill is in the educational area. When we had half a million evacuees, we were looking at, of course, educating their children. After an initial enrollment of 43,000 children, mostly in Houston, Dallas, San Antonio, and Austin, some in the East Texas counties that also were hit by Rita, we did agree in a previous supplemental to reimburse these school districts. We authorized impact aid of \$6,000 per student to cover the cost of education for students displaced by Hurricane Katrina. However, they were only able to do the reimbursement at a rate of \$4,000. So these school districts were taking a hit of \$2,000 per student. The current supplemental bridges that gap, which is a huge help for these communities.

Just to give one an idea of the impact of Hurricane Katrina on Texas, it is normal to see a two-page ad in a newspaper that advertises polling locations for elections. One would see in any normal election in a county all of the polling places on election day. This newspaper I am holding up doesn't seem to look that unusual. It is a list of polling places for the New Orleans mayor's race. What is interesting is this is the Houston Chronicle. This

same ad over two pages appeared in the Dallas Morning News. That is because the number of Katrina evacuees who were going to vote and did vote in the New Orleans mayor's race was significant enough, with a 500,000-person migration after that hurricane, to make a huge difference.

There is also a picture on the front page of the Houston Chronicle just before that mayor's race with a billboard for New Orleans mayor, Ray Nagin.

We can tell just from these anecdotal pieces of evidence that this is an evacuation which is affecting Texas to a huge extent.

The \$235 million in this bill will help these school districts make up for the deficit they have been funding all year and, again, raising property taxes in Texas to pay for it will not now be necessary.

We are going to monitor the enrollment of the number of schoolchildren in these school districts this fall to see if we have large numbers of displaced schoolchildren—because schools are not yet fully open in New Orleans—and we will come back and ask for more supplemental funds for the Katrina evacuees who are not planning to make a permanent home in Texas but are still in our education system.

Because of the fairness of the conference committee—and I particularly mention Congressman KEVIN BRADY, Congressman TED POE, Congressman HAL ROGERS, and Congressman HENRY BONILLA for helping us put forward the case that needed to be made for Texas to show that we had to have some equity in the East Texas counties that were hit by Rita, as well as the educational community that was so affected by the evacuees who came to our State immediately after Katrina. This is going to go a long way toward helping them.

We are also hoping to have some of the money for infrastructure reimbursement after Hurricane Rita that is also included in this bill, but it is at the discretion of the Secretary of Housing and Urban Development.

This is a balanced bill. It is the first time we have been able to recognize that though a State wasn't hit by the first natural disaster, it nevertheless had a huge impact on the economy of the State. Our State stepped up to the plate, and this bill begins to equalize the burden our State has carried.

I appreciate my colleagues listening to me. I appreciate their help in the original Senate bill. I appreciate the members of the conference committee who did so much to help, and I certainly appreciate the chairman, Senator COCHRAN, Senator BYRD, Senator GREGG, Senator COLLINS, Senator SPECTER, Senator LIEBERMAN, and Senator KENNEDY for helping us create the equity that will exist when this conference report is agreed to tomorrow.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

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

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

AMENDMENT NO. 4237

Mr. MARTINEZ. Mr. President, I call up amendment No. 4237, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. MARTINEZ] proposes an amendment numbered 4237.

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

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

The amendment is as follows:

(Purpose: To provide that States likely to be effected by the hurricane season in 2007 are afforded a priority in funding for replacement equipment for the National Guard)

At the end of subtitle B of title I, add the following:

SEC. 114. REPLACEMENT EQUIPMENT FOR THE ARMY NATIONAL GUARD.

In allocating amounts authorized to be appropriated by section 101(5) for other procurement for the Army for the procurement of replacement equipment for the National Guard, the Secretary of Defense shall afford a priority in the allocation of such funds to the States likely to experience a hurricane during the 2007 hurricane season.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that Senator BILL NELSON of Florida be added as a cosponsor of the amendment.

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

Mr. LEVIN. Mr. President, will the Senator yield? It was my understanding that the Senator from Florida was going to speak on an existing amendment or some other subject, and he now has offered an amendment?

Mr. MARTINEZ. Yes.

Mr. LEVIN. There is a lineup of amendments to which we had previously agreed. It was not my understanding the Senator would be offering an amendment.

Mr. WARNER. Mr. President, if the Senator will yield, I have been trying to work with the Senator from Florida to revise a draft I saw.

Mr. MARTINEZ. Correct.

Mr. WARNER. Mr. President, it seems to me, if the Senator withdraws the amendment, the managers can work with him and then the Senator from Florida can speak to the generic substance of the amendment, which I believe is a very important amendment.

Mr. MARTINEZ. I have no problem doing that. I will be glad to withdraw the amendment.

AMENDMENT NO. 4237, WITHDRAWN

Mr. MARTINEZ. Mr. President, I ask unanimous consent to withdraw amendment No. 4237.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LEVIN. Mr. President, I wonder if the Senator has additional copies of the amendment he can share.

Mr. WARNER. Mr. President, I say to my colleague, the Senator from Florida is now in the process of rewriting it. I suggest we wait until he has decided on the version he would like to submit at the appropriate time.

Mr. MARTINEZ. That will be fine. I was under the impression Senator LEVIN had seen the amendment. I will make sure he gets a copy.

Mr. LEVIN. I very much appreciate it.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes on the subject of the amendment and come back to the issue of calling it up at the appropriate time.

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

Mr. MARTINEZ. Mr. President, the issue of the ongoing war on terror and the very important role the National Guard is playing in this effort is the subject of my amendment. I wanted to start first by congratulating President Bush, who visited Baghdad yesterday. The President once again is showing his commitment and his leadership in this difficult fight. He went to Iraq to show his support for the now-formed Iraqi Government and again to offer his support to the brave men and women who are fighting this war and offer his support to them and their families.

The last 7 days have been historic. The bringing to justice Abu Mus'ab al-Zarqawi, al-Qaida's No. 2 figure in the world, second only to Osama bin Laden, was great news for freedom-loving Iraqis and for the men and women of the U.S. Armed Forces who have patiently and methodically hunted this terrorist to his end, and most of all a crucial step for us in winning the war on terror. For U.S. special operations forces, this was yet another impressive victory in removing an enormous obstacle to peace in Iraq and victory of our Armed Forces. By capturing Saddam Hussein, tracking and killing his sons, Uday and Qusay, and now killing Zarqawi, our special operations forces continue to effectively serve the cause of freedom. Iraq is a better place for these actions, and America will be safer as well.

The President recently reminded us that the fight is far from over. As he has said from the beginning, this war on terror will not be easy or short. Blindly hoping for victory will not result in victory. As Americans, we must be firm in our determination to the task at hand. As the President said while talking to the troops in Baghdad yesterday, the sooner Iraqis can take up the fight, the sooner our soldiers can come home.

Defeatism and hand-wringing and finger-pointing does not constitute a strategy for victory. We cannot and will not be defeated militarily. The only way we will be defeated is by our own lack of resolve. If we had listened to detractors who told us to cut and run, al-Zarqawi would be alive and planning his next killing and the future of a radical caliphate in Iraq. The constant talk about withdrawal and the ceaseless pursuit of establishing a timetable for withdrawing U.S. troops directly undermines the mission. It undermines morale. Why would we ever want to alert our enemies and give them our precise plans? A timetable is only tied to the success of our forces and the political situation on the ground. While we all wish to see the end of the struggle and our troops' safe return home, this must not be determined by an arbitrary deadline that signals retreat in defeat. After all the Iraqis have achieved—peaceful democratic elections, an interim and now permanent government, a police force, and building of the armed forces—how could we think about abandoning this struggle and mission before we meet with success?

The clear goals of this war—to protect America and our vital national interests, to rid the world of radical Islamic terrorists, to reshape the Middle East and bring democracy to one of the darkest and most historically undemocratic corners of the world—is Wilsonian in its vision and Churchillian in its urgency. I commend President Bush for his leadership, Secretary Rumsfeld for his diligence, Generals Abizaid and Casey, the commanders on the field, and the soldiers, sailors, airmen, and marines in the theater for their perseverance, competence, and for their honor; also, our Secretary of State and our very capable Ambassador Khalilzad for their success and the way they have assisted the formation of a new government.

In relation to the continuing war on terror, there is one issue I am concerned with, and that is the process by which our National Guard units are currently being reequipped. Today, we have a situation in our National Guard units from Florida—and I imagine National Guard units from many other States—which are sent to war with their own equipment; that is, the men and women, the trucks, the tanks, the helicopters, the humvees, and all the gear leave the State and go to protect Americans serving in Afghanistan and Iraq. However, when the tour of duty is over, the Guard returns home and the equipment stays behind. This is understandable, since in a war zone and in desert conditions, vital equipment needs to be replaced sometimes more quickly than new equipment can get to the region. As you might imagine, the National Guard then has a resulting deficit of equipment, which is a tem-

porary situation but nonetheless a crucial delay in their completion of their equipment inventory.

With the arrival of this year's hurricane season, I have urged the citizens in our State of Florida, where we are currently and have been previously consistent victims of recent hurricanes, as well as other hurricane-prone States, to do everything they can to prepare for potential storms. But even with the best preparedness, storms have a way of taking unexpected turns, and as we have seen over the past three years, the National Guard plays a crucial role in helping stabilize areas in the immediate hours and days following the disastrous hurricanes we have experienced recently.

For instance, last year alone, the Florida National Guard deployed 5,800 troops within the State of Florida and along the gulf coast during 4 major hurricanes. To support Hurricane Katrina recovery efforts, the Florida Guard sent 2,500 troops to Mississippi as part of the emergency compact agreement the States have with the Guard. They have done their job with dedication and competence.

The point is that during hurricane season, during the war on terror, we cannot sustain the National Guard without prioritizing equipment replacement. They need this equipment for training. They need this equipment for those times when they are needed to be activated in honoring their State and Federal missions here at home.

The Guard wears many hats and plays a vital role in fighting the war on terror and in responding to catastrophes here at home. I have offered an amendment to ensure that their re-equipment is not deferred. The amendment directs the Secretary of Defense to place a priority on providing replacement equipment to Guard units, particularly in those States which are prone and historically have been shown to be frequent victims of hurricanes.

The first named storm of the season, Tropical Storm Alberto, just visited the State of Florida. NOAA has told us that we are in for an active hurricane cycle that could last for a decade or more. From New England to Texas to Louisiana to Florida, hurricane-prone States require National Guard units that will be able to meet important missions abroad and at home. Meeting this mission requires prioritizing their reequipping.

So at the right time and in the right order, I intend to bring up such an amendment, which I hope will have broad support in the Senate where I believe all of us understand and appreciate the very vital and crucial role the National Guard continues to play, not only in the crucial war on terror but, equally important, providing that irreplaceable line of assistance at home during the times of hurricanes and other natural disasters.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, is the pending amendment the Dorgan amendment?

The PRESIDING OFFICER. It is the pending amendment.

Mr. WARNER. Mr. President, I move to table the Dorgan amendment. I ask unanimous consent that the vote on the motion to table occur at 3:45 this afternoon; provided further that between now and 3:45, Senator DORGAN be recognized to speak for up to 15 minutes on the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. No objection.

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

Mr. WARNER. 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. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. DORGAN. Mr. President, my understanding is that there will be a motion, perhaps a motion to table—in any event, a vote on my amendment at 3:45. I had asked that I be allowed time to speak once again on the amendment.

It is an obligatory statement to come to the floor and congratulate the chairman and the ranking member, but in this case I will always mean it. The work of my friend and colleague from Virginia, as chairman of this committee, is really excellent work. So, too, is the work of Senator LEVIN from Michigan. I always say this is a big, big piece of legislation, a difficult piece of legislation. The Defense authorization bill is a real piece of work to put together. It is made even more difficult during wartime to stretch for all of the needs—unlimited wants with limited resources. So I come here understanding that there are things in this legislation that are very important that inure to the credit of the chairman and the ranking member.

I want to describe something that is not in the legislation, however, and the opportunity to offer it to this legislation at this time is very important. This bill will authorize the expenditure of a great deal of money. That is not new. We have authorized the expenditure of a lot of money for a lot of things, particularly with respect to the military expenditures in Iraq and Afghanistan in recent years—something close to \$350 billion. That is with a “b,” \$350 billion has been spent. That was virtually all done as emergency appropriations, not paid for with anything, just added on top of the debt.

Even as we have done that, we in the Congress have also voted for \$18 billion

in reconstruction funding in the country of Iraq. That \$18 billion in reconstruction for the country of Iraq has gone out in various contracts and been spent. What we are hearing now, as a result of a massive amount of money being spent in a fairly short period of time, is the most hair-raising tale of waste and fraud and abuse that I have ever heard.

I dare say that never in the history of this country has so much money been wasted so quickly. And, yes, there is fraud involved, there is abuse involved, and it is the case that there is a dramatic amount of taxpayers’ money that is now being wasted.

I went through this morning a description of what is happening in some areas. In our policy committee, we held hearings over 3 years about this issue. This is a photograph which I showed this morning of this man, the man with the brown belt. He was actually in his office in Iraq. These are \$100 bills wrapped in Saran Wrap. This represents \$2 million, and it was to be paid to a company called Custer Battles, named after Mr. Custer and Mr. Battles. They are two folks who went to Iraq to seek their fortune—one I believe a former Army Ranger. Neither had experience as contractors, but they knew there was a lot of money to be made. They went to Iraq to set up a company. They got there, and the first contract, I believe, which they received was to provide security at the Baghdad Airport, which at that point wasn’t open.

As they provided security at the Baghdad Airport, whistleblowers came forward who were working for them and said: What is going on here is really pretty awful. In fact, one of the whistleblowers was threatened. Someone threatened to kill him for speaking out. But they said it is wrong and awful. This company that had the contract for security at Baghdad Airport took forklift trucks off the airport, which belonged to the airport, put them in a warehouse, painted them blue, and sold them back to the Coalition Provisional Authority. It is the sort of thing that was going on.

This picture of \$100 bills wrapped in Saran Wrap was \$2 million that was paid to this company called Custer Battles. This fellow who was in charge of that money said there was a basement with a vault in this building in Iraq where he said he thought billions and billions of dollars in cash was stored.

The message to the contractors in Iraq was: Bring bags because we pay in cash. Bring a sack because we pay cash.

Then there is the story about a contract for air-conditioning a building in Baghdad. The contract goes to a subcontractor, which goes to another subcontractor, and a fourth-level subcontractor. And the payment for air-condi-

tioning turns out to be payments to four contractors, the fourth of which puts a fan in a room. Yes, the American taxpayer paid for an air-conditioner and, after the money goes through four hands like ice cubes travel around the room, there is a fan put in a room in Iraq.

I mentioned this morning that every time you talk about this you have to talk about Halliburton. Every time you talk about Halliburton, they say you are talking about Vice President CHERNEY. Not true. He hasn’t run Halliburton for many years, but this company received very large, no-bid, sole-source contracts worth billions of dollars and massive amounts of money have been wasted.

Investigators and inspectors at the Department of Defense discovered this contractor had overcharged. The contracts were in some cases awarded under questionable circumstances.

I described just a few of the examples today, such as \$85,000 new trucks that had a plugged fuel pump and left by the side of the road—brand new—to be burned; \$85,000 brand new trucks with a flat tire, left beside the road to be torched.

It is pretty unbelievable, the stories we have heard about what is going on with these contractors in Iraq.

The buyer for Kellogg, Brown & Root, a subcontractor for Halliburton, came and testified. He was a purchaser stationed in Kuwait. His job was to purchase things that the Army needed in Iraq. He was told you should purchase hand towels for the military. So he gets about the business of buying hand towels—tens of thousands of hand towels, except he was told by his bosses, KBR, don’t buy just the ordinary hand towels. We want to have them embroidered “KBR,” for Kellogg, Brown & Root, therefore doubling the price. Buy the towels, doubling the price. It doesn’t matter. The taxpayer is paying for all of this, and it has cost-plus. Don’t worry, be happy. Charge as much as you can.

And \$7,500 a month to lease an SUV; \$45 a case for Coca-Cola. It doesn’t matter. The taxpayer is paying the bill. Order 25 tons of nails, 50,000 pounds, the wrong size, doesn’t matter, lay them on the sand in Iraq. Nobody will know. Just 25 tons of nails.

The stories are pretty unbelievable. Frankly, one of the great surprises to me is that the Pentagon has not been very interested.

A guy named Rory came over here. He was actually in Iraq. He was a food service supervisor at Kellogg, Brown & Root. He was a supervisor in the food service kitchen. He said the convoys of trucks that were hauling food in would occasionally be attacked. There was shrapnel in the back of the trucks. They were told to go back and pick the shrapnel out of the food, save the bullets as souvenirs for the supervisors,

but pull the fragments out of the food and put the food in the food line. And then he said: Routinely we would have food that had an expired date stamp. This food is good until August 22nd, expired; routinely expired food. What did the supervisor say? It doesn't matter. Just feed it to the troops.

I am surprised that Secretary Rumsfeld, for example, didn't become apologetic about that. You would think he would have a seizure when they were paying contractors to feed the troops and to feed them outdated food and nobody seems to care very much; or feeding 42,000 people, according to the billing record, and only 14,000 people were eating.

I come from really small town of 300 people. We have one little restaurant. You could miss a cheeseburger, or two or three. But to miss 28,000 meals when you say you fed the troops that you didn't feed? In my hometown, we have a word for that sort of thing.

It is unbelievable what is going on and the stories. These aren't stories that we have heard second or third-hand. Rory, for example, worked there, lived there, served food there in the cafeteria. He was told this.

He said this on the record: When the auditors come around to your base in Iraq and come to your food service operation, you dare not talk to them. If you talk to Government auditors, you are going to be in some real trouble. One of two things will happen. You will either be fired or you are going to be sent to an area that has intense fighting. It turns out that Rory was sent to Fallujah in the middle of hostilities there because he had the gall to talk to Government auditors who were asking questions about what was happening in the food service operation.

No one in this Chamber believes this sort of stuff ought to go on. It shouldn't happen. Yet, I think there is so much money being spent with big, sole-source, no-bid contracts being let.

I described this woman this morning. I am going to do it again because I have met her several times now. I think what has happened to her is a crying shame. Bunnatine Greenhouse, the highest civilian official in the Corps of Engineers, rose to become the highest civilian official to serve in the Corps of Engineers. Well-educated, smart, with a great career that every supervisor said was excellent by every evaluation, this woman knows what she is doing. She is an outstanding public servant. But she ran into some trouble.

The trouble was she saw contracts being let that violated contract provisions. She saw meetings being held in which big companies were part of the meetings, talking about the new contracts that were going to be let. She began to complain, saying: You are violating the rules of contracting. The old-boy network didn't like that at all.

Bunnatine Greenhouse got into trouble for speaking out. She was demoted. This woman who had the courage to speak out against waste, fraud, and abuse paid for it with her job.

She said:

I can unequivocally state that the abuse relating to the contracts awarded to Kellogg, Brown & Root represents the most blatant and improper contract abuse that I have witnessed during the course of my professional career.

A career, I might add, was judged—not by the Department of Defense—to be outstanding by people outside of the Department of Defense who worked with her. For that, she paid with her job. And nobody seems to care.

By the way, this job is now being filled by someone who is unqualified. The general who made the decision to fill this job with someone unqualified said it is true the person they put in that job to replace Bunnatine Greenhouse doesn't have the necessary experience, but she is now being trained.

That is really helpful. I assume that is what they were doing down at FEMA when they put something like seven of the top FEMA officials in place who were cronies who had no experience in disaster preparedness or relief. I guess they were being trained too. The problem is Hurricane Katrina hit and that agency was a mess.

We don't need cronyism. We need good, strong professional people who have the courage to speak out when they see something wrong.

The amendment that I have offered is very simple. The amendment that I have offered deals with war profiteering. Nobody in this Chamber believes that anybody ought to be justified in profiteering from war. If there are people profiteering from war, there ought to be strong sanctions.

This amendment includes a number of different pieces of legislation. The war profiteering amendment is one which Senator LEAHY constructed in the last Congress and brought forward. That is a portion of this amendment. The amendment deals with contract abuse, requiring competition in contracting.

Also, the amendment has protections for whistleblowers. We ought to care about that.

There are about six or eight provisions of this amendment that I described earlier today. But I want to conclude with this.

I mentioned earlier the Custer Battles company. They are the subject at this point of criminal prosecution.

The Custer Battles folks are the two men named Custer and Battles. "60 Minutes" just did a program on them on CBS. We held hearings about Custer Battles. They went to Iraq, as I said earlier, and got a contract for security at the airport. They eventually ended up being paid more than \$100 million in contracts. These are people without ex-

perience in contracting. They went to Iraq to seek their fortune and to get contracts. And they did.

Here is what the Baghdad airport director of security said in a memo to the Coalition Provisional Authority. That was us. We were running Iraq before they created their new government. Here is what the Baghdad airport director of security said:

Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

Isn't that unbelievable? Does anybody dare say now that we didn't know what was going on over there? They knew.

What is still now going on over there is unbelievable.

What we need at this point on behalf of the American taxpayers and on behalf of the troops who put on the uniform and serve this country, and without question put their lives on the line, what we need on their behalf is an understanding that we are doing the right thing here.

This piece of legislation, this authorization bill, is a good bill. It will be a better bill with this amendment because this amendment plugs a very big hole that exists with respect to contracting and profiteering.

I mentioned earlier today that I have previously offered and will again offer an amendment that establishes a Truman Committee here in U.S. Senate. I wasn't around, of course, during the Truman Committee. The Truman Committee was established in the early 1940s at a time when a Democratic Senator with a Democratic President in the White House said we have to investigate waste, fraud, and abuse. And he did on a bipartisan basis. They put together a special committee, and they sunk their teeth into this issue of waste, fraud, and abuse. It was unbelievable what they discovered. The country was better and stronger as a result of it.

I bet sometimes FDR gritted his teeth over the investigations. But it was not about the White House at all; it was about making sure the taxpayers were getting their money's worth, making sure we were doing the right things for the troops. The same is true now.

I don't offer this with any political intent at all. It is just that I sat hour after hour after hour and listened to stories—yes, some of them about Custer Battles, some about KRB, some about Halliburton, and some about other companies—and I have seen unbelievable stories and heard unbelievable stories about waste, fraud, and abuse. I see very little desire at the Pentagon to sink their teeth into it and fix the problems.

The woman who had the courage to stand up and blow the whistle has lost

her job. This is not a very hospitable place for people willing to have the courage to speak out. We ought to stand up for Bunny Greenhouse and say we need more like her. When you see something wrong, you report it. When you see something bad, you stop it. We need more people like her.

This amendment is not about her; it is about protecting people who have the courage to stand up for our interests and who care about what is being spent, what is being done, who care about when we are being defrauded and when people are war-profiteering.

I ask consent that Senator KENNEDY and Senator CLINTON be added as co-sponsors of the amendment.

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

Mr. DORGAN. Mr. President, let me conclude by saying that this amendment is not aimed at the White House. It is not aimed at some political objective. It is certainly not aimed at the chairman and ranking member of this bill. This is aimed at trying to find common sense in the way we deal with these issues, especially in wartime.

I mentioned this morning that common sense is sometimes described as genius in work clothes. Common sense could take us a long way if we just applied it in these circumstances. We understand what happens when a company gets a special deal—by the way, you get a big old contract worth billions of dollars, you do not have to bid on it, and we will negotiate the terms later. I understand what happens then. That is like leaving the till open. The stories that come from it are unbelievable. On behalf of the American taxpayer, we ought to do something about it.

Perhaps my colleague wishes to respond.

Mr. WARNER. Mr. President, I have listened very carefully to my colleague. I spoke earlier about what our committee had done. The organization is now in place to try to monitor the situations the Senator has enumerated.

We will proceed to a vote at 3:45. I will at that time seek to be recognized for the purpose of tabling the amendment.

I ask unanimous consent to have printed in the RECORD at this juncture a paper provided by the Department of Defense, a copy of which I hand to my distinguished colleague, which recites the Department's understanding with regard to the career of this woman to whom the Senator has referred.

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

INFORMATION PAPER

Effective August 27, 2005, Ms. Greenhouse was removed from her position in the Senior Executive Service (SES) as the Principal Assistant Responsible for Contracting at the U.S. Army Corps of Engineers (USACE) and

placed in a GS-15 position. Her removal was required by Title 5, Code of Federal Regulations, Section 359.501, because she had received two final performance ratings of "less than fully successful" within three consecutive years.

The two performance ratings at issue covered the rating periods from October 1, 2001 through September 30, 2002 and from October 1, 2002 through December 31, 2003. The second rating period was extended for three months to ensure that Ms. Greenhouse was afforded a minimum of 120 days working under a set of approved performance standards and to give her additional time to demonstrate successful performance. Further, because USACE officials had proposed Ms. Greenhouse's removal from the SES, both of these ratings were reviewed by the Assistant Secretary of the Army for Acquisition, Logistics and Technology (ASA-AL&T), who has functional responsibility for all Army acquisition activities, and the Assistant Secretary of the Army for Manpower and Reserve Affairs, who has responsibility for management of the SES.

On October 5, 2004, Lieutenant General (LTG) Carl Strock, Commanding General, USACE, advised Ms. Greenhouse that she would be removed from the SES and placed in a GS-15 position effective November 13, 2004, based on her receipt of two final ratings of "less than fully successful" performance within three consecutive years. By letter of October 21, 2004, to then Acting Secretary of the Army, R.L. Brownlee, Mr. Michael Kohn, an attorney representing Ms. Greenhouse, requested an investigation into alleged procurement irregularities within USACE and implied that Ms. Greenhouse faced removal from the SES because of her disclosure of these irregularities. Acting Secretary Brownlee directed suspension of the removal action until a sufficient record was available to address the matters raised in Mr. Kohn's letter. Concurrently, Mr. Brownlee directed the forwarding of Ms. Greenhouse's allegations of contracting irregularities to the Inspector General, Department of Defense (IG, DoD) for action as appropriate. There is no record that these allegations are, or have been, the subject of USACE Inspector General inquiry, as set forth in your letter; as detailed below, however, we believe that the IG, DoD is continuing its criminal investigation into procurement matters of interest to Ms. Greenhouse.

On June 3, 2005, LTG Strock forwarded a memorandum through the Department of the Army Inspector General (DAIG) to the Secretary of the Army, requesting authorization to proceed with the removal of Ms. Greenhouse from the SES and placement in a GS-15 position within Headquarters, USACE. In support of his request, LTG Strock enclosed an analysis prepared by his staff that demonstrated that Ms. Greenhouse's removal from the SES was based solely on her "less than fully successful" performance. This record was reviewed by the Department of the Army Inspector General who forwarded it to the Director, Investigations of Senior Officials, Office of the DoD Inspector General (IG, DoD). On June 13, 2005, the Director advised that "The criminal investigation into procurement matters of interest to Ms. Greenhouse is continuing. However, there is no basis to delay actions concerning Ms. Greenhouse pending the outcome of that investigation." Further, the Director found no basis to delay the proposed removal because of a possible reprisal allegation.

Because of the ongoing IG, DoD criminal investigation, it would have been inappro-

priate for the DAIG to inquire into that matter. However, the DAIG reviewed for regulatory compliance the two "less than fully successful" evaluation reports upon which the proposed removal was based and concluded that the USACE had satisfied applicable regulatory requirements. Accordingly, on July 14, 2005, the Army determined that a sufficient record existed to determine that Ms. Greenhouse's removal from the SES was grounded in a documented record of less than fully successful performance, and not because of any allegations she made of contracting irregularities or her decision to testify before Congress.

Mr. WARNER. Mr. President, we are awaiting the arrival of Senator MCCAIN. I ask unanimous consent that the Senate recognize Senator MCCAIN upon his arrival at the floor.

The Senator may wish to ask unanimous consent to place further material into the RECORD after he has had an opportunity to examine that paper. There may be some material the Senator believes should be added.

Mr. DORGAN. If I might just respond briefly, I don't think this is a substantive answer to the very serious allegations raised by Ms. Greenhouse—not just in her statements, but in other documentation about improper meetings, about improper actions by the Corps of Engineers, in violation of their own regulations. Nowhere do I see the Pentagon officials or General Strock willing to address those in their specifics. I will await their response to that, as I have waited now for 2 years, but that answer is not yet forthcoming.

It is perfectly fine to have this printed in the RECORD. I will, during this debate, evaluate it and also respond to it, but even with this, we have never gotten a straight answer from the Pentagon about these issues. They are very anxious and interested in making sure there are no waves around this on contracting because they have their own way of doing things, and if it does not work out, that is tough, they do not want news coverage.

Mr. WARNER. I got unanimous consent to have this printed in the RECORD but as a courtesy gave the Senator a copy thinking the Senator may wish to supplement it.

Mr. DORGAN. I appreciate the courtesy of Senator WARNER, and I may do so at an appropriate time.

Mr. WARNER. I yield the floor.

Mr. KOHL. Mr. President, these days it seems rare that we debate a non-partisan issue. Too many of the items that Congress considers have more to do with spin than substance, are based more on politics than policy. It is a disturbing trend and that is why I am proud to rise as a cosponsor of the amendment introduced by my colleague from North Dakota, Senator DORGAN.

The issue addressed by the Senator's amendment—the fleecing of American taxpayers by war profiteers and corrupt contractors—should disturb every American. My colleague from North

Dakota constructed his amendment, which is based on legislation that I have also cosponsored, in reaction to testimony presented at several hearings he held on contracting fraud. At those hearings, witnesses presented example upon example of blatant misuse of taxpayer dollars. Witnesses testified about abuse ranging from the towels given to our troops to the meals they were served. At every opportunity, no-bid contract winners took advantage of the fact that we are at war to fill their own coffers. That is not a partisan issue—that is a crime.

It is a crime that requires punishment, and it is a crime that we could prevent with greater transparency and accountability. That is what this amendment would do. The amendment establishes penalties of up to 20 years in prison and at least \$1 million in fines for war profiteering. It also prohibits the award of Federal contracts to companies that have a history of failing to comply with the law. Finally, the amendment requires real competition: For any contract worth more than \$10 million, contractors would be allowed to compete, rather than have all the work automatically go to a single contractor.

This is a commonsense approach to an appalling problem. When we ask our troops and their families to make the ultimate sacrifice, it is repugnant to think that there are those who seek to profit off that sacrifice. Contract fraud does more than cost the taxpayers money—it abuses their confidence. We owe it to our troops, and to the American public, to do all we can to protect such abuses. Senator DORGAN's amendment is a step in that direction, and I urge my colleagues to support the amendment.

AMENDMENT NO. 4241

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I ask the indulgence of my friend from Virginia for a very brief two amendments, one which will be very brief—I do not believe he will object too strenuously—and that is to name this act after the distinguished senior Senator from Virginia.

I ask unanimous consent for its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. McCAIN], proposes an amendment numbered 4241 for himself, Mr. FRIST, Mr. LEVIN, Mr. INHOFE, Mr. KENNEDY, Mr. ROBERTS, Mr. BYRD, Mr. SESSIONS, Mr. LIEBERMAN, Ms. COLLINS, Mr. REED, Mr. ENSIGN, Mr. AKAKA, Mr. TALENT, Mr. NELSON of Florida, Mr. CHAMBLISS, Mr. NELSON of Nebraska, Mr. GRAHAM, Mr. DAYTON, Mrs. DOLE, Mr. BAYH, Mr. CORNYN, Mrs. CLINTON, Mr. THUNE, Mr. ALLARD, and Mr. ALLEN.

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

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

The amendment is as follows:

(Purpose: To name the Act after John Warner, a Senator from Virginia)

On page 2, strike lines 1 through 3, and insert the following:

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the “John Warner National Defense Authorization Act for Fiscal Year 2007”.

(b) FINDINGS.—Congress makes the following findings:

(1) Senator John Warner of Virginia was elected a member of the United States Senate on November 7, 1978, for a full term beginning on January 3, 1979. He was subsequently appointed by the Governor of Virginia to fill a vacancy on January 2, 1979, and has served continuously since that date. He was appointed a member of the Committee on Armed Services in January 1979, and has served continuously on the Committee since that date, a period of nearly 28 years. Senator Warner's service on the Committee represents nearly half of its existence since it was established after World War II.

(2) Senator Warner came to the Senate and the Committee on Armed Services after a distinguished record of service to the Nation, including combat service in the Armed Forces and high civilian office.

(3) Senator Warner enlisted in the United States Navy upon graduation from high school in 1945, and served until the summer of 1946, when he was discharged as a Petty Officer 3rd Class. He then attended Washington and Lee University on the G.I. Bill. He graduated in 1949 and entered the University of Virginia Law School.

(4) Upon the outbreak of the Korean War in 1950, Senator Warner volunteered for active duty, interrupting his education to accept a commission in the United States Marine Corps. He served in combat in Korea as a ground officer in the First Marine Air Wing. Following his active service, he remained in the Marine Corps Reserve for several years, attaining the rank of captain.

(5) Senator Warner resumed his legal education upon returning from the Korean War and graduated from the University of Virginia Law School in 1953. He was selected by the late Chief Judge E. Barrett Prettyman of the United States Court of Appeals for the District of Columbia Circuit as his law clerk. After his service to Judge Prettyman, Senator Warner became an Assistant United States Attorney in the District of Columbia, and later entered private law practice.

(6) In 1969, the Senate gave its advice and consent to the appointment of Senator Warner as Under Secretary of the Navy. He served in this position until 1972, when he was confirmed and appointed as the 61st Secretary of the Navy since the office was established in 1798. As Secretary, Senator Warner was the principal United States negotiator and signatory of the Incidents at Sea Executive Agreement with the Soviet Union, which was signed in 1972 and remains in effect today. It has served as the model for similar agreements between states covering the operation of naval ships and aircraft in international sea lanes throughout the world.

(7) Senator Warner left the Department of the Navy in 1974. His next public service was as Director of the American Revolution Bicentennial Commission. In this capacity, he coordinated the celebration of the Nation's founding, directing the Federal role in all 50 States and in over 20 foreign nations.

(8) Senator Warner has served as chairman of the Committee on Armed Services of the United States Senate from 1999 to 2001, and again since January 2003. He served as ranking minority member of the committee from 1987 to 1993, and again from 2001 to 2003. Senator Warner concludes his service as chairman at the end of the 109th Congress, but will remain a member of the committee.

(9) This Act is the twenty-eighth annual authorization act for the Department of Defense for which Senator Warner has taken a major responsibility as a member of the Committee on Armed Services of the United States Senate, and the fourteenth for which he has exercised a leadership role as chairman or ranking minority member of the committee.

(10) Senator Warner, as seaman, Marine officer, Under Secretary and Secretary of the Navy, and member, ranking minority member, and chairman of the Committee on Armed Services, has made unique and lasting contributions to the national security of the United States.

(11) It is altogether fitting and proper that his Act, the last annual authorization Act for the national defense that Senator Warner manages in and for the United States Senate as chairman of the Committee on Armed Services, be named in his honor, as provided in subsection (a).

Mr. McCAIN. Mr. President, this amendment would name the National Defense Authorization Act for Fiscal Year 2007 after the chairman of the Committee on Armed Services, our distinguished friend and colleague from Virginia, JOHN WARNER. I am pleased to be joined in this effort by Senators FRIST, LEVIN, INHOFE, KENNEDY, ROBERTS, BYRD, SESSIONS, LIEBERMAN, COLLINS, JACK REED, ENSIGN, AKAKA, TALENT, BILL NELSON, CHAMBLISS, BEN NELSON, GRAHAM, DAYTON, DOLE, BAYH, CORNYN, CLINTON, THUNE, ALLARD, and ALLEN.

I am certain that there is not a Senator in this Senate who would not agree that Senator WARNER, with his grace, courtliness, bipartisan attitude, and kindness to all, represents the finest traditions of the Senate. All Senators know that the defense authorization bill occupies a major place in the annual legislative calendar and takes substantial time to complete. Those Senators who do not have the privilege of serving on the Committee on Armed Services may not realize the tremendous amount of work that goes into hearings, formulation of legislative proposals, preparation for markup, and actual markup of this bill—the largest annually recurring piece of legislation in Congress. When one adds to this the oversight of the largest department in the Government, and the processing of thousands of military and civilian nominations each year, the demands on the chairman of the committee and the need for leadership are obvious. For 6 years, JOHN WARNER has provided that leadership, and done it in a manner that has gained him universal respect.

JOHN WARNER is, first and foremost a Virginian—a lifetime resident of that Old Dominion that has stood at the

center of American history for over two centuries and has given Nation so many of its eminent men, from Washington forward. JOHN WARNER has continued that tradition of service to country from his youth. The son of a decorated Army physician in World War I, JOHN WARNER left high school to enlist in the Navy late in World War II. He served until 1946, when he was discharged as a petty officer 3rd class. Like millions of other young Americans, he then attended college on the G.I. bill, graduating from Washington and Lee University in 1949. He then entered the University of Virginia Law School. He interrupted his education to serve in the Korean war, volunteering for active duty and accepting a commission in the Marine Corps. He served in the combat zone as a ground officer in the First Marine Air Wing, and remained in the Marine Corps Reserve for several years. Upon returning from the Korean war, he resumed his legal education, graduating from the University of Virginia Law School in 1953.

Upon graduation, JOHN WARNER's outstanding qualities were recognized when he was selected to serve as the law clerk to the late Judge E. Barrett Prettyman of the U.S. Court of Appeals for the District of Columbia Circuit, one of the most outstanding jurists of the period. Many years later, Senator WARNER would be instrumental in naming the U.S. Court House in Washington, DC, for his old mentor. After his clerkship, JOHN WARNER became an Assistant United States Attorney in the District of Columbia, and later was engaged in the private practice of law.

In 1969, President Nixon nominated JOHN WARNER to serve as Under Secretary of the Navy. The Senate confirmed the nomination, and he served as Under Secretary until he was confirmed and appointed as the 61st Secretary of the Navy in 1972. During his tenure as Secretary, the United States and the Soviet Union signed the Incidents at Sea Executive Agreement, for which he was the principal United States negotiator and signatory. This agreement remains in effect today, and has served as a model for similar agreements governing naval vessels and aircraft around the world.

After leaving the Department of the Navy in 1974, JOHN WARNER's next public service was as chairman of the American Revolution Bicentennial Commission. He oversaw the celebration of the Nation's founding, directing the Federal Government's role in a commemoration that embraced all 50 States and over 20 foreign nations.

In 1978, the voters of Virginia elected JOHN WARNER to a full term in the United States Senate. Upon beginning his service in 1979, he was elected a member of the Committee on Armed Services. Upon leaving the chairmanship next year, he will have served on the committee for 28 years, almost half

of the committee's existence. Senator WARNER served as chairman of the committee from 1999 to 2001, and again since 2003. He also served as ranking member from 1987 to 1993, and again from 2001 to 2003. For 14 years of American history, years that saw the end of the cold war, the first gulf war, the attacks on September 11, 2001, and the global war on terror, JOHN WARNER has served in a leadership role on the committee.

No Member of this body has done more for our national security than JOHN WARNER. As sailor, Marine officer, Under Secretary and Secretary of the Navy, and United States Senator, he has always answered his country's call. The dignified and evenhanded way in which he has presided over the business of the committee has enabled it to continue its noble tradition of being an island of bipartisanship in an increasingly unpleasant political era. I submit that it is exceedingly appropriate that this year's defense authorization act, the last which JOHN WARNER will manage as chairman of the Committee on Armed Services, be named in his honor.

If my colleagues will indulge me for just another moment, I would like to relate a personal story, and that has to do with when I returned from prison in Vietnam. JOHN WARNER was then serving as Secretary of the Navy. Secretary Warner greeted us all with the greatest warmth and affection, but very importantly in my case I had requested to attend the National War College as the next tour of duty. That meant objections for several very good reasons, and yet then-Secretary Warner made sure I was allowed to attend that institution of higher learning. He and I have remained friends and comrades since the day I returned home in March of 1973, now some 33 years.

It has been a privilege and an honor to hold my dear friend, JOHN WARNER, in my highest esteem and affection. This is a very small token for the esteem in which all of us hold JOHN WARNER as a great and wonderful leader of this Senate. I could go on for many hours recounting the many wonderful achievements he has made for the people of Virginia and for the people of this Nation, but I will refrain from doing so as I know many of my colleagues will want to add their voices and sponsorship of this amendment to name the Defense authorization bill for 2007 in his name.

I ask the vote to be held at the appropriate time, and whether the yeas and nays are called for would be up to my colleagues.

Mr. WARNER. Mr. President, I am deeply moved by the thoughtful remarks of my longtime friend. I express my everlasting gratitude first and foremost for that friendship and, indeed, the friendship of your father, commander and chief of the U.S. Forces in the Pacific, who helped guide me in

those difficult days of Vietnam when I was entrusted with the Department of the Navy.

I say to my friend, it is my fervent hope when I step down as chairman, as prescribed by the rules of our caucus, I will have the privilege to nominate you to become the next chairman of the Armed Services Committee. And I am confident that will be confirmed in our caucus and eventually by the full Senate and that you will lead this committee to greater levels and higher achievements, as has been the case of almost every step of your career.

I wish you well and also your family, dear friend.

Now, Mr. President, I believe we are going to turn to another amendment by the distinguished Senator from Arizona, and I am privileged to be a cosponsor of that amendment.

I commend the Senator. This is a very important step that you are initiating with regard to the future of how financing the Department of Defense is handled in the Congress of the United States.

I yield the floor.

Mr. KENNEDY. Mr. President, I am honored to join my colleague from Arizona and to cosponsor his amendment to name this year's Defense authorization bill after our good friend, Senator JOHN WARNER, the chairman of the Armed Services Committee.

This tribute is eminently well deserved. Senator WARNER has had a long and distinguished career of outstanding service to our Nation. He enlisted in the Navy at the end of World War II and served with distinction. He then attended Washington and Lee University on the GI bill. He volunteered for active duty during the Korean war and served as an officer in the Marine Corps, interrupting his studies at the University of Virginia Law School.

After graduation, he had an impressive legal career. He clerked for Chief Judge Barrett Prettyman of the U.S. Court of Appeals for the District of Columbia Circuit and became a Federal prosecutor in the District of Columbia before entering private practice.

He then returned to Government service as Under Secretary of the Navy in the Nixon administration, and I was honored to support his promotion to be the 61st Secretary of the Navy in 1972.

He was elected to the Senate in 1978 and was a natural for the Armed Services Committee. I joined the committee in 1983, and it has been a very great privilege to serve with him and learn from him for the past two decades. No one cares more about our national defense or our men and women in uniform. As chairman of the committee, he has the immense respect of all of us. His leadership ability, eloquence, and dedication have served the Senate, our Armed Forces, and the Nation brilliantly.

These annual Defense authorization acts demonstrate our chairman at his

best, and naming this bill for him is a fitting tribute to his extraordinary leadership and the enduring respect and affection that all of us have for him.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my friend again for his kind words. If I am so fortunate as to succeed him, I would obviously rely on him for his continued guidance and stewardship.

AMENDMENT NO. 4242

Mr. President, I send an amendment to the desk and ask for its immediate consideration. The amendment is on behalf of myself, Senator WARNER, Senator LEVIN, Senator GRAHAM, Senator BYRD, Senator GREGG, Senator HAGEL, Senator CHAMBLISS, Senator COLLINS, Senator COBURN, Senator CONRAD, and Senator REID.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. WARNER, Mr. LEVIN, Mr. GRAHAM, Mr. BYRD, Mr. GREGG, Mr. HAGEL, Mr. CHAMBLISS, Ms. COLLINS, Mr. COBURN, Mr. CONRAD, and Mr. REID, proposes an amendment numbered 4242.

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

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

The amendment is as follows:

(Purpose: To require regular budgeting for ongoing military operations)

At the end of subtitle I of title X, insert the following:

SEC. __. BUDGETING FOR ONGOING MILITARY OPERATIONS.

The President's budget submitted pursuant to section 1105(a) of title 31, United States Code, for each fiscal year after fiscal year 2007 shall include—

(1) a request for funds for such fiscal year for ongoing military operations in Afghanistan and Iraq;

(2) an estimate of all funds expected to be required in that fiscal year for such operations; and

(3) a detailed justification of the funds requested.

Mr. MCCAIN. Mr. President, the amendment would require regular budgeting for ongoing military operations in Afghanistan and Iraq. The war on terror has been going on for nearly 5 years, since that tragic day in September 2001. Yet since that time the administration has sought to fund the war operations almost entirely through emergency supplemental appropriations measures instead of through its annual budget submissions.

The most recent supplemental measure, which the Senate is expected to pass soon, is the ninth supplemental bill since September 2001. With its enactment, we will have provided over \$420 billion to pay for ongoing military operations, reconstruction, and training of Iraqi security forces—defense spending that I fully support. And all

of that money is designated as “emergency” expenditures—provided without any offsetting revenues, as if it were free money. But it is not. It is not free money.

I think we can fund this war—and, indeed, win this war—while also budgeting for the war. We know the war is going to cost more than the \$420 billion to date, and we know the war is not going to end as quickly as most of us would prefer. In fact, many of us see ongoing operations in Afghanistan for an extended period of time, hopefully at a low level, hopefully taken over by NATO, hopefully Americans not in a major role. But certainly as long as NATO is involved, we will continue to see American participation. But we need to continue, and we need to continue our military operations until the job is done. Withdrawing our military presence prematurely is not an option in my view, the view of many of my colleagues, nor the view of the President or his advisers. We are in it to win.

Unfortunately, the administration's unwillingness to budget for the war through the regular process means that neither the White House nor the Congress is making the tough decisions about how we are going to pay for the ongoing wars. If we continue down this same path, that job will be left to future generations because the expenditures are being made regardless, and eventually their impact on our budget will have to be addressed. The longer we wait to make the tough decisions, the bigger the problem will become, and the more difficult making those tough decisions will be.

Our Nation's future economic success rests in part on the decisions we make today—and the ones we put off. We are facing some dire fiscal challenges in the days ahead. According to the Government Accountability Office, the unfunded Federal financial burden—such as public debt, future Social Security, Medicare, and Medicaid payments—totals more than \$46 trillion, or \$156,000 per man, woman, and child in America. According to David Walker, the head of the GAO, for a family, this burden is “like having a \$750,000 mortgage—and no house.”

But instead of fixing the problem—and fixing it will not be easy—we are only succeeding in making it bigger, more unstable, more complicated, and much more expensive. And adding hundreds of billions of dollars that are more conveniently designated as “emergency” expenditures—so they do not have to be budgeted for along with other national priorities—is only making our fiscal problems that much greater.

Somehow the concept of true emergency funding bills has gotten lost along the way. Take the most recent supplemental appropriations bill. The President requested a total of \$94.5 bil-

lion to fund our operations in Afghanistan and Iraq, as well as additional funding to aid in the recovery efforts along the hurricane-affected gulf coast and other urgent needs.

I believe the war funding is the largest amount yet proposed in what is now almost a routine series of supplemental requests to fund this ongoing war. A Senate-passed bill provided \$108.9 billion in spending—\$14.4 billion above the level the President has indicated he is willing to sign. Despite the efforts of several of us to trim that bill of unrequested earmarks and questionable spending, the Senate did not have the will to do so prior to the bill's passage. It wasn't until conference, with the looming threat of a sustainable veto, that the bill was trimmed. But the fact remains that the funding provided for in that bill is enormous, and it would be more fiscally responsible to be dealt with in the annual authorization and appropriations bills.

Of course, that supplemental is only the most recent example of why this amendment is necessary. Since 2001, the administration and Congress have routinely funded our ongoing operations in Afghanistan and Iraq through emergency supplemental appropriations bills. In addition, many defense-related activities that should have been financed through the normal appropriations process have been funded through these emergency supplementals. And in the process, more and more nondefense-related spending has also been creeping into these bills, greatly undermining the budget process.

There are several criticisms of the supplemental appropriations process that I hope the Senate will agree are egregious enough to lend overwhelming support for the adoption of the amendment.

First, unless we take action, “emergency” funds will continue to be employed as a way to add spending above that contained under the budget caps. It has become all too routine for the administration to omit what should be normal spending items for the budget it sends to Congress in February. Instead, the administration relies on supplementals to fund critical “must-pass items,” such as operations in Iraq and Afghanistan, as well as more routine defense spending. Congress then approves these requests and regularly tries to augment them with non-emergency, nondefense items.

Second, supplemental appropriations have diminished responsible budget decisions and proper oversight by Congress. Put aside for a moment that authorizing committees are not consulted with regard to supplemental appropriations in the same manner that occurs during the normal annual budget process. Emergency supplemental appropriations requests are not forwarded to Congress with the same level of budget

justification and details that are routinely sent to Congress when the President's annual budget is forwarded in February of each year. If the authorizing and appropriations committees are not allowed to scrutinize fully the effectiveness of defense programs and are unwilling to end programs that are not effective, we will continue to have an ineffectual budget.

Third, budgeting annually through emergency supplemental appropriations bills encourages pork-barrel spending. I think the 2-week debate on the most recent supplemental is fresh in everyone's mind, so I will not mention the many provisions that objections were raised against. But the fact is, unrequested add-ons which ultimately make it into the final supplemental appropriations conference reports are almost never the subject of a hearing in the authorization and appropriations committees. They are seldom, if ever, subjected to a recorded vote in a committee or on the floor of the House or the Senate. These items very often are not even included in legislation initially passed by the House or Senate but are instead added by a conference committee.

Here is a very important aspect of this which I hope all my colleagues will pay attention to because unless we look back in history, it is hard for us to understand how egregious this process has become.

For the Korean war, which lasted 3 years, there was one supplemental appropriations bill.

During the 11-year Vietnam war, there were four supplemental appropriations bills. As soon as troop levels in Southeast Asia stopped climbing, the Johnson and Nixon administrations requested funding for ongoing operations in the regular Defense authorization and appropriations bills.

Since 9/11, there have been nine supplemental appropriations bills, in 5 years, to fund the ongoing war on terror, including two in each of the years of 2002, 2004, and 2005. Over 90 percent of the funding for Iraq and Afghanistan ongoing operations—ongoing operations—has been funded through one to two emergency supplemental appropriations bills each year for the past 5 years. It now totals over \$420 billion in emergency supplemental funding.

So we pass budgets, we put caps on budgets, and then we add \$80 billion, \$90 billion, \$100 billion—in total, over the last 5 years, \$420 billion—despite the fact that during this time Congress provided over \$2.2 trillion for defense-related expenditures in the regular annual defense spending bills.

We are blowing the budget process. We are carving gigantic holes in the system. And we are removing the authorizing committees and, to a degree, the appropriating committees from the scrutiny and oversight that is our responsibility. It is not our privilege to

oversight the spending of our taxpayers' dollars and the authorization and appropriation of it; it is our responsibility. When we look at these emergency supplementals, we find more and more items which really have nothing to do with the war in Iraq. They may be replacements for equipment that was used in Iraq, but haven't we reached the point, in both Iraq and Afghanistan, where we can plan ahead in a normal budgetary process?

I wish to emphasize, again, if there is a genuine emergency, I will be the first Member of the Senate to suggest and approve of a genuine emergency. This in no way—this in no way—reduces the executive branch's or the legislative branch's ability to approve emergency supplemental bills if they are genuine emergencies.

Now, if someone objects to this amendment, I wonder how we were able to need only one supplemental appropriations bill during the entire Korean war or why during the entire 11-year Vietnam war there were only four. But somehow, now we have had to have nine emergency supplemental bills in 5 years, and it now totals over \$420 billion in emergency supplemental funding.

Now, in the interest of straight talk, if I were a member of the executive branch, I would find this a very convenient way. Isn't it a lot easier to just ask for an emergency supplemental and write out the details of it and have it passed rather than going through the normal budgeting process, which I will admit is somewhat cumbersome? But it was intended to be because of Congress's responsibilities to oversight the taxpayers' dollars.

So this amendment is about fiscal responsibility. Most of us have voted in recent years to support several sense-of-the-Senate amendments stating that the war should be budgeted for in the regular process. In fact, just this past April 27, the Senate voted 94 to 0 to approve such an amendment. I have supported that proposition each time it has been offered. The amendment before us would put real meaning into the positions we have previously voted to support.

Let me also be clear about what this amendment does not do. It does not seek to prevent any future emergency funding requests for war operations. It does require budgeting for the ongoing expenses we know are going to occur. If next year, after the budget is submitted in February, a totally unforeseen expenditure arises that must be urgently addressed, the administration would have the ability to submit a supplemental request. But simple cost-of-doing business expenditures—costs that can be estimated and budgeted for—would not be allowed.

Mr. WARNER. Mr. President, I ask unanimous consent to extend the time for the vote by 5 minutes and that I be

recognized at the conclusion of the 5 minutes.

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

Mr. MCCAIN. Since my colleagues anticipate a vote, I will be brief.

We could sit down now and figure out probably most of the costs for operations in the coming year, 2 years, in Afghanistan and Iraq. We have a good idea as to what kind of budgeting we are going to have to be involved in and what the necessary authorization and appropriation will be. I want to emphasize: This amendment in no way impairs the ability to enact another emergency supplemental if it is required. What we are doing now is an end run around the authorizing, appropriating, and budgeting processes, and we are lying to the American people when we say we are only going to spend so many dollars on the various functions of Government; in this case, on Defense and military expenditures.

I yield the floor and ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. May I inquire of the distinguished Senator if he has any way of estimating the amount of further debate on this amendment because we could quite likely schedule it for a vote this evening, subject to his concurrence.

Mr. MCCAIN. In response, I ask my colleague from Michigan, I don't know of others who have asked to speak on it.

Mr. WARNER. I understand Senator BYRD would like to.

Mr. LEVIN. My remarks in support of the McCain amendment will be fairly brief, but Senator BYRD does wish to speak on the amendment. We are trying to ascertain how much time he desires.

Mr. WARNER. Fine, then I ask unanimous consent that upon the conclusion of the scheduled vote, the Chair recognize the Senator from Arizona for such additional remarks as he may wish to make.

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

Mr. MCCAIN. I ask unanimous consent that Senator STEVENS be added as a cosponsor to my amendment.

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

Mr. LEVIN. Mr. President, let me congratulate Senator MCCAIN, not just for his honesty in the budgeting amendment, but also for the previous amendment which he brought up while I was absent from the floor and which I am proud and pleased to cosponsor, which would name this bill after our esteemed colleague, Senator WARNER.

We will have a lot more to say about that later, but it is the right thing to do. I know there will more Members on the Senate floor when we accomplish that wonderful goal.

Mr. WARNER. I thank my longtime colleague and friend, Senator LEVIN, for his remarks.

I advise the Senate at this time we will proceed to the vote. I will momentarily make a tabling motion, and then upon conclusion of the vote, we will return to the McCain amendment. It would be my fervent hope that we can have a vote on that amendment prior to the time the leadership desires that floor activities be terminated.

AMENDMENT NO. 4230

I move to table the Dorgan amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

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

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "nay."

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 169 Leg.]

YEAS—55

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

NAYS—43

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

NOT VOTING—2

Kerry Rockefeller

The motion was agreed to.

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

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I will now propound a unanimous consent agreement which I think is in the possession of my colleague.

Mr. LEVIN. It is.

Mr. WARNER. Mr. President, I ask unanimous consent that the time until 5 o'clock today be equally divided between myself and Senator MCCAIN and the Democratic leader or his designee, with 20 minutes of the Democratic leader time under the control of Senator BYRD, and that at 5 o'clock a vote occur in relation to the McCain amendment No. 4242, with no further intervening action or debate, and no second-degree amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, and I will not, I wonder if the Senator can make room in there for an additional 3 minutes under our control so I can speak in favor. We can work that out.

Mr. WARNER. I assure the Senator he will have time.

Mr. LEVIN. I have no objection.

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

Mr. WARNER. Mr. President, I wish to advise colleagues that it may be that we can expedite the vote prior to 5 p.m. So it really, in a sense, is no later than 5 o'clock.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I thank the Chair.

Mr. WARNER. Mr. President, may we have order, please.

The PRESIDING OFFICER. There will be order in the Senate.

Mr. WARNER. The Senator is entitled to be heard.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. WARNER. Mr. President, I thank the very distinguished senior Senator from West Virginia, the West Virginian, the gentleman from West Virginia.

AMENDMENT NO. 4242

Mr. BYRD. Mr. President, the Senate will soon vote on an emergency supplemental appropriations bill that would bring the total amount of funds appropriated for the war in Iraq to \$318 billion. That is \$318 for every minute—every minute—since Jesus Christ was born. Think of it. That is a staggering amount of money. The total amount of funds appropriated for the war in Iraq is \$318 billion. But that is not the whole story.

According to a recent report by the Congressional Research Service, the monthly cost of the war in Iraq is going up, up, up, right into the stratosphere.

During the opening phases of the war, the cost of the war was estimated to be \$4.4 billion per month. According

to the new CRS estimates, that pricetag will rise to an average of \$8.1 billion for each month of the next year \$8.1 billion. In other words, \$8.10, or more, for every minute since Jesus Christ was born. How can this be? How is it that after 3 years of war the cost of operations in Iraq has gone up by 80 percent?

Part of the problem is that funding for the war is being hidden—yes, hidden. Where is it?—hidden from the normal budget authorization and appropriations process. Instead of the President providing Congress with an estimate of how much the wars in Iraq and Afghanistan—there are two of them—how much the wars in Iraq and Afghanistan will cost each year, the administration has chosen to hide those costs. Where? In emergency spending bills.

Since the war in Iraq began in March 2003, the Congress has enacted eight emergency supplemental appropriations bills. None of these measures received the full scrutiny—the full scrutiny—that is so necessary for such massive expenditures. The President refuses to include the full cost of these wars in his regular budget request. Instead, the President sends to the Congress emergency requests with little or no detailed justification.

Five times I have offered amendments in the Senate urging the President to budget for the cost of the two wars in Iraq and Afghanistan. Five times. And five times those amendments have been approved, most recently on April 24, 2006, by a unanimous vote—hear me, a unanimous vote—of 94 to 0. However, the White House has shown no sign that it will take the fiscally responsible course of beginning to budget for the cost of the wars.

There are two wars going on. One, I supported the war in Afghanistan. The other war in Iraq, I did not support our invasion of Iraq for constitutional reasons.

I am pleased to work with my colleague, Senator MCCAIN, to build on my previous efforts to urge the administration to budget for the war. We are there. We are in there. Our men and women are there, and we are going to support them. I didn't support the policies that sent them there, but I support them, the men and women, our men and women who are over there.

The amendment before the Senate, of which I am a proud cosponsor, would create a requirement in law to force the administration to give a full year's estimate of the cost of military operations in Iraq and Afghanistan. What is wrong with that? The amendment before the Senate, of which I am a proud cosponsor, would create a requirement in law—a requirement in law—to force the administration to give a full year's estimate of the cost of military operations in Iraq and Afghanistan.

The amendment also requires the administration to submit a detailed justification of the administration's budget request. As the ranking member of the Appropriations Committee, I expect that this justification would include a breakdown of the funding request by each appropriations account and detailed information about prior years' war spending. The very last thing that Congress wants to see is a gargantuan request of scores of billions of dollars in the form of a slush fund or a no-strings-attached transfer account.

This is the people's money. Do my colleagues know that? Think about it. Whose money is this that we are talking about? It is the people's money, those people out there who are watching this Senate through those lenses. That is their money, the people's money that we are talking about, and the American public has the right to demand accountability.

With this amendment, the Senate is charging a fiscally responsible course which can generate a real debate on the cost of these wars. That is a debate that is long overdue—long overdue—and I urge my colleagues to support this important amendment.

FLAG DAY

Mr. BYRD. Mr. President, "Hats off! Hats off! The flag is passing by. Hats off! The flag is passing by."

Those are the powerful words of Henry Holcomb Bennett in his stirring poem, "The Flag Goes By."

I recite those words because today, this day, is June 14, Flag Day. Yes, Flag Day. There by the President's desk, that flag. This day is Flag Day, the day that Americans pause to celebrate and show our respect for our great national emblem, the American flag. This, unfortunately, is not a Federal holiday but, in my opinion, is one of the most important days of the year. This is a day filled with so much meaning, so much symbolism, so much history.

It was on June 14, 1777, that the Continental Congress adopted the Flag Act that established the official flag of the United States of America. The 13 Colonies assembled in the Continental Congress took this action because they understood the need for a symbol of our national unity.

During the early days of the American Revolution, the Colonial Armies were fighting under the banners of their individual Colonies or, in some cases, of their local militia units. The banner of New England, for example, was the Liberty Tree. Do you remember the Liberty Tree? It showed a green pine tree on a field of white, with the words "An Appeal To Heaven." Oh, the Liberty Tree, which showed a green pine tree on a field of white, with the words "An Appeal To Heaven." The Minutemen from Culpepper County, VA waved a flag with a coiled rattlesnake which carried the motto "Liberty or

Death" and the warning "Don't Tread on Me." The flag of militia units in Charleston, SC proclaimed "Liberty" in white letters on a field of blue.

This diversity of flags seemed to reflect a lack of unity among the Colonies. Feeling the need to establish a symbol of national unity, on June 14, 1777, 229 years ago today, the Congress resolved:

That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.

Mr. President, I have always been impressed with the wisdom and the foresight of the Founders of our country, and here again, we can see their brilliance. The simplicity of that chosen pattern, alternating stripes and crisp new stars, white stars on a field of blue, allowed our flag to evolve along with the ever-changing map of America. The flag they chose has become the most visible symbol of our Nation. The flag they chose has become our most beloved and respected national icon. That flag symbolizes our Nation's strength, our Nation's honor, our Nation's ideals, and our national purpose. It recognizes our glorious past while it celebrates a more glorious future.

Legends abound regarding who actually created the first American flag. The American Naval hero John Paul Jones and Francis Hopkinson, a signer of the Declaration of Independence, have both been cited as possible creators, as has John Hulbert of Long Island, NY. Tradition, of course, generally attributes the first flag to Betsy Ross. I like to believe in that version of the story, because it appeals to my sense of the American spirit and to my belief that each and every citizen has a responsibility to our Nation. It is a story of the powerful father of our country visiting a humble needle woman in her house and asking her to undertake the monumental task of making the first American flag.

Whoever created the first flag, within a few months of its unveiling, the flag was under fire for the first time in the battles of Bennington and Brandywine. A few months later, on November 1, 1777, our national banner went to sea for the first time when Captain John Paul Jones set sail in his sloop, the "Ranger," from Portsmouth, NH, for France. When the French fleet saluted his ship off the coast of that country on February 14, 1778, it marked the first time that foreign vessels had acknowledged the American flag. With the winning of independence in 1783, the American flag was recognized as the banner of the United States of America throughout the world.

Twenty years later that flag was under fire again, this time in the War of 1812. On the night of September 13, 1814, British ships on their way to Baltimore, not far from here, bombarded Fort McHenry, which blocked their

entry. When morning came—yes, when morning came, the star spangled banner was still waving, revealing to Francis Scott Key that the enemy had failed to penetrate the American lines of defense. Impressed by this awesome, awesome, glorious sight, Francis Scott Key was inspired to write the immortal lyrics that Congress later adopted as our National Anthem.

How we all love to recall the stirring words from the second stanza.

'Tis the Star-Spangled Banner: O long may it wave O'er the land of the free and the home of the brave.

In 1824 came that eventful day in Salem, MA, when a group of women presented a beautiful 12- by 24-foot flag to Sea Captain William Driver, who was about to embark upon a global voyage. After the flag was hoisted from the ship's masthead, Captain Driver looked at the flag waving so heroically in the wind, and he exclaimed, "Old, Glory! Old Glory!" Ever since that time, the name has been used to symbolize our love and our respect for our national emblem.

There it is, Old Glory.

In our dangerous and uncertain world, Old Glory has always been there. It was there before you were born, before I was born—yes. It was there, always there, guiding us, inspiring us, giving us hope as well as direction.

President Woodrow Wilson—I was born during his administration—President Woodrow Wilson once remarked, "Though silent, it speaks to us." How right he was. Its mere presence stirs emotions. Look at it there by the President's desk. Its mere presence—there it stands—its mere presence stirs emotions.

The flag embodies our ideals of freedom, justice, and brotherhood, values that are deeply rooted in the best of our political and spiritual emotions and traditions. The flag means home, the safety and security of home, and tells us that freedom still lives in this land we love.

The flag symbolizes our values and ideals as well as our power, our economic and military might. The flag rallies the courage of American men and women and children.

Our flag has been a guide and an inspiration to our Armed Forces. It has inspired our men and women to deeds of valor and sacrifice. Who can think of the American flag without thinking of the marines heroically planting that flag on top of Iwo Jima during World War II or American astronauts planting it on the moon or those New York City firefighters hoisting the American flag in the rubble of the Trade Towers on September 11, 2001?

Flag Day was first officially observed in 1877 to celebrate the 100th anniversary of the selection of the American flag. For the next 70 years, people and movements across the country promoted efforts to establish a national

Flag Day. In one of those attempts, Congressman Joseph Goulden of New York, in 1914, introduced legislation to make June 14 a national holiday, to celebrate Flag Day. In testimony to the House Judiciary Committee, Congressman Goulden explained:

We would honor ourselves by making it a holiday. I think the love and devotion we all have for the flag and what it represents will tend to make us better citizens.

And so it was on August 3, 1949, that Congress approved a joint resolution that designated June 14 as Flag Day, in commemoration of the adoption of the flag of the United States by the Continental Congress.

How glad I am that Congress took this action. The American flag sums up all the best of our Nation, all that is good and decent in America. Throughout our history, it has transcended our differences. It has affirmed our common bond as a people and our solemn unity as a Nation.

Unfortunately and tragically, some people will always try to use this national icon to stir disunity. This is a shame and a sham because, above everything else, our flag is representative of our national unity:

One nation, under God, indivisible, with liberty and justice for all.

"Indivisible, with liberty and justice for all," those words, of course, come from the Pledge of Allegiance to the Flag, our oath to generations past and future that we stand together as one great Nation. Think of how often throughout the course of the history of our country, our Nation, citizens have risen, hands over their hearts, and uttered those words together, knowing that their destinies were interwoven. We are bound together like the threads that form the fabric of that flag. We should put our energies to strengthening that bond, not unraveling it.

That pledge to our flag was originally written in 1892 by Francis Bellamy and was first used at the dedication of the World Fair in Chicago. The pledge initially read:

I pledge allegiance to my flag and the Republic for which it stands, one nation indivisible—with liberty and justice for all.

The original wording was altered slightly in 1923 and 1924. In 1954—and I was there in the House of Representatives when Congress added the phrase "under God" to the pledge, which President Eisenhower explained:

In this way we are reaffirming the transcendence of religious faith in America's heritage and future; in this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource in peace and in war.

That was Dwight Eisenhower.

As a result, the Pledge of Allegiance to the Flag now reads:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

So on this birthday of Old Glory, Flag Day, 2006, I join with my colleagues and my fellow citizens in urging that we protect the American flag as a force to unite us, not as a tool to divide us. As Henry Holcomb Bennett says in his poem, "more than a flag is passing by."

Hats off!

Along the street there comes
A blare of bugles, a ruffle of drums,
A flash of color beneath the sky:
Hats off! The flag is passing by!

Blue and crimson and white it shines,
Over the steel-tipped, ordered lines.
Hats off!

The colors before us fly;
But more than the flag is passing by.

Sea-fights and land-fights, grim and great,
Fought to make and to save the State:
Weary marches and sinking ships;
Cheers of victory on dying lips;

Days of plenty and years of peace;
March of a strong land's swift increase;
Equal justice, right and law,
Stately honor and reverend awe;

Sign of a nation, great and strong
To ward her people from foreign wrong:
Pride and glory and honor, all
Live in the colors to stand or fall.

Hats off!

Along the street there comes
A blare of bugles, a ruffle of drums;
And loyal hearts are beating high:
Hats off!
The flag is passing by!

Happy birthday, Old Glory. Long may you wave. "O'er the land of the free, and the home of the brave."

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, may I commend our distinguished senior colleague, former majority leader of the Senate, for that brilliant speech, most appropriate on this day. I am certain that speech will be carried and viewed by our troops wherever they are in the world. In well over 60-some nations our men and women are standing guard tonight, protecting our freedoms.

I congratulate you, sir. Thank you very much.

Mr. BYRD. Mr. President, I thank the very distinguished—yes, very distinguished Senator from the great State of Virginia.

Mr. WARNER. I thank my colleague. Mr. President, I fully support the McCain amendment.

This amendment would require regular budgeting for ongoing military operations in Afghanistan and Iraq.

Since 2001, the administration and Congress has funded our ongoing operations in Iraq and Afghanistan through emergency supplemental appropriation bills, as has been the case in previous times in our Nation's history. As the Congressional Research Service noted in a June 13, 2006 report, "Supplementals have been the most frequent means of financing the initial stages of military operations."

The report continues:

In general, however, past administrations have requested, and Congress has provided,

funding for ongoing military operations in regular appropriations bills as soon as more accurate projections of costs can be made.

Operations have stabilized to an extent that accurate estimates of future years' costs of the operations in Iraq and Afghanistan may be made. And, it is now time for the administration to present these costs as part of the regular budgeting process.

Emergency supplemental appropriation requests are not forwarded to Congress with the same level of budget justification and details that are routinely sent to Congress when the President's annual budget is forwarded in February each year. If the authorizing and appropriation committees are not allowed to scrutinize fully the effectiveness of defense programs, we are not providing the taxpayer with the full diligence due for scrutinizing the President's budget request. While, I—and I am sure all my colleagues—fully support our troops, and want to ensure they have all the resources they need, we must also provide strong budgetary oversight.

We have not always funded our war efforts through routine supplemental appropriations measures. It is worth examining history to perceive how the practice has been exploited beyond all reasonable defense, as Senator MCCAIN recently recounted, and it bears repeating:

For the Korean war, which lasted 3 years, there was only one supplemental appropriations bill;

During the 11-year Vietnam War, there were four supplemental appropriation bills. As soon as troop levels in Southeast Asia stopped climbing, the Johnson and Nixon administrations requested funding for ongoing operations in the regular defense authorization and appropriation bills;

Since 9/11, there have been nine supplemental appropriation bills in 5 years to fund the ongoing war on terror, including two in each of the years of 2002, 2004, and 2005. It now totals over \$420 billion in emergency supplemental funding.

Most of us have voted in recent years to support several Sense of the Senate amendments stating that the war should be budgeted for in the regular process. Just this past April 27, the Senate voted 94-0 to approve such an amendment. I fully supported that proposition each time it has been offered. Now, this amendment before us would put real meaning into the positions we previously voted to support.

Let me also be clear about what this amendment does not do. It does not seek to prevent any future emergency funding requests for war operations. But it does require budgeting for the ongoing expenses we know are going to occur. If next year, after the budget is submitted in February, a totally unforeseen expenditure arises that must be urgently addressed, the administration would have the ability to submit a

supplemental request. But simple “costs of doing business” expenditures—costs that can be estimated and budgeted for, but are more conveniently funded without any offsets—would not be allowed.

I simply say that this amendment goes a long way to restore the proper balance, as we lay down our Senate procedures in committees, between the authorizing process and the appropriators. I do not suggest in any way that the appropriators intentionally encroached on the authorizing process. To the contrary. It was because of the exigencies, the difficulty in predicting the expenditures associated with the current military operations that necessitated these large appropriations. But this amendment will go a long way to restore that.

I urge my colleagues to support the amendment.

I know my distinguished colleague from Michigan has a few words, and then we will go to the vote.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I will be brief. First, let me thank the Senator from West Virginia. He, as always, speaks eloquently. If I can make the claim, he speaks for all of us when he talked about our flag and what it means to him. I think he reflected the spirit of every Member of this body. I thank him for it.

I also thank Senators BYRD and MCCAIN. The McCain-Byrd amendment, which restores honesty and truthfulness to our budget process by reflecting the cost of war, is absolutely essential if we are going to have a realistic budget. Regardless of whether one supports or doesn't support our going to war or how the operations have taken place, it is critically important that we pay the cost and know what we are paying for and that the budget reflect those costs.

The effort has been made year after year to do that but so far without success because it was not put into law. This amendment of Senator MCCAIN and Senator BYRD will put this requirement in law. It is essential. I commend both of them for it.

I believe all Members of this body, regardless of the differences we may have about our policy on Iraq, should agree that we should budget for and pay for these operations. This week Congress will send to the President the second FY2006 supplemental which includes another \$70 billion on the operations in Iraq and Afghanistan, on top of the \$50 billion provided in December. That means in the current fiscal year we will spend \$120 billion, or \$10 billion a month, on these operations—and none of it was included in the President's 2006 budget. I can think of no clearer evidence of the need for this amendment.

In February, I included the following statement in my letter to the Budget Committee:

[T]hese costs should be moved into the regular budget process, rather than continuing to treat them purely as emergency spending. These expenses are not, to use the words of section 402 of last year's budget resolution, “unforeseen, unpredictable, and unanticipated”. Calling them emergencies does nothing to reduce their impact on our federal deficit and debt. Furthermore, the Quadrennial Defense Review released by the Department of Defense last month asserts that our military is fighting a “long war” that “may last for some years to come”. If this is so, all the more reason to start recognizing the ongoing costs of this “long war” in our budget, so we can start paying for it. So far, these costs have been financed entirely by deficit spending. That may be necessary for a short, unforeseen war, but if a “long war” is part of our national security reality, it must become part of our fiscal reality, and we must pay for it.

There is an additional reason why these costs should be built into our regular budget process. Supplementals are not subjected to the oversight of the authorizing committees. I believe it is time for that to change. The costs of war are enormous, and these costs, starting with the \$50 billion budget amendment the administration intends to submit, should receive more oversight, and putting this funding through the normal budget process will help Congress do its oversight job better, which will better serve the American public.

As I also stated at our Armed Services Committee hearing with Secretary Rumsfeld in February that:

Responsible budgeting means making choices and setting priorities. This budget request fails that test. It understates the true cost of our defense program because it does not fully recognize or pay for the cost of ongoing operations in Iraq and Afghanistan in 2007. Funds for those will apparently be requested later this year on an emergency, non-paid for, basis. That is not responsible budgeting. Those costs should be planned on and paid for now. Honest budgeting requires no less.

It is essential that our budget begin to reflect reality and recognize the enormous cost of these ongoing military operations. I congratulate Senator MCCAIN and Senator BYRD for this amendment, and I urge my colleagues to support it.

Mr. WARNER. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to this amendment: Senators SNOWE, ENSIGN, LIEBERMAN, OBAMA, INOUE, AKAKA, and SALAZAR.

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

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4242. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

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

I further announce that if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote “aye.”

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

[Rollcall Vote No. 170 Leg.]

YEAS—98

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

NOT VOTING—2

Kerry Rockefeller

The amendment (No. 4242) was agreed to.

AMENDMENT NO. 4236

Mr. LUGAR. Mr. President, I am submitting an amendment today that addresses the issue of military assistance to foreign countries. Senators WARNER and LEVIN have tried to be responsive to an administration request for increased funding and flexibility in providing assistance to countries that are partners with us in the war against terrorism. I applaud their efforts and will enumerate the problems that I do not have with the overarching purpose of section 1206.

I agree that there should be a new program that specifically addresses the shortcomings that many of our partners in the war against terror face in tracking and finding terrorists on their soil or in nearby seas.

I understand that current security assistance programs, the Foreign Military Financing program, for example, require a long lead time, sometimes 2½ to 3 years from request to delivery of equipment. There are urgent cases now where we need to respond more quickly than we currently can.

Nor do I object to providing significant funding for the program. The request of the administration for \$750 million does not seem exorbitant given the threats that we are trying to address. Nonetheless, I respect the opinion of my fellow authorizers on the Armed Services Committee that there is only \$400 million that can be devoted to the problem at this time from the Defense budget.

While on the ground floor of organizing such a new activity, however,

my concern is that we get the decision-making mechanism right. We must make certain that the recipients chosen, the design of the programs, and implementation are in the best foreign policy interests of the United States. We are in this war on terror for the longterm. This is an important program that will go through many changes. Recipient countries will change. Areas of the globe where it must focus may change. The propensity of subsequent administrations may change as they have to make their own hard choices.

We need to get the basics right now so that we are not faced with a situation some years down the road where we have Cabinet Secretaries at odds, struggling with decisions on which countries should receive the aid, when it should be delivered, and how it should be implemented.

Those are decisions that we must insist be overseen by the Secretary of State on behalf of the President. Foreign policy must drive foreign assistance decisions. We cannot have military aid decisions drive foreign policy.

This amendment provides the funding that the Senate Armed Services Committee has authorized for the new program while safeguarding the primacy of the State Department in guiding and overseeing the program. My amendment this year builds on an amendment offered by Senator INHOFE last year on the same subject. That amendment passed the Senate unanimously when it was accepted by Senators WARNER and LEVIN as the proper way to proceed. It, unfortunately, emerged from conference altered to authorize a Department of Defense program that is "jointly formulated" with the Secretary of State and requiring the Secretary of Defense to "coordinate" with the Secretary of State in program implementation. My amendment is more explicit. While the Inhofe amendment allowed a direct transfer of funds from the Defense Department to the State Department, this amendment explicitly creates a new counterterrorism train-and-equip account that is designed for use by the Department of Defense but is under the authority of the State Department. The Department of Defense would be authorized to contribute to and withdraw from the fund and would implement the train-and-equip programs funded by the account. Proceeding this way would clarify lines of authority and would safeguard the Secretary of State's role as the President's chief foreign policy advisor and manager of bilateral relationships.

My amendment retains an important interagency study due at the end of this year on the issue of military assistance that was contained in last year's section 1206.

The Department of State is now better organized to manage the new ac-

count established in this amendment. We can expect decisions to be made quickly and efficiently. Randy Tobias is now double-hatted. He has been named as the Secretary's foreign assistance advisor in addition to his role as the Administrator of USAID. Under his overall guidance, the Department can perform the necessary coordination both with Ambassadors in the field and with regional bureaus to ensure that such a program would be a constructive addition to the bilateral relationship with the recipient country and would contribute to regional stability. These are judgments that our Government must make about every foreign assistance program and the President is best advised on these matters by the Secretary of State.

I hope that my fellow Senators will take a serious look at this proposal and join me in offering it as an amendment to the bill. While the current language of section 1206 requires Secretary of State and ambassadorial involvement, it is difficult to legislate cooperation between agencies. A blurring of roles is inevitable if section 1206 stands unamended, at a time when foreign policy needs to be coherent, persuasive, and successful in the war against terror.

AMENDMENT NO. 4252

Mr. REID. Mr. President, I spoke yesterday about the terrible courthouse shooting that took place in Reno on Monday, and what we can do in the Senate to help prevent such incidents. In order to move that process forward, I will offer the text of Court Security Improvement Act of 2005 as an amendment to the Defense authorization bill.

First, however, I would like to take a moment to update everyone on Judge Chuck Weller's condition. Judge Weller, if you remember, was hit by a sniper's bullet while standing in the window of his Reno office.

According to the latest reports, the judge is in "good spirits" and "out of the woods." The bullet seems to have missed his vital organs, and for that, we all thank God.

Now that Judge Weller seems to be stabilizing, it is incumbent on all of us to do whatever it takes to prevent similar violence—whether in Reno or any other city. Judges like Chuck Weller, their clerks and jurors must be free to serve without threats to their lives.

The amendment I will offer would improve protections for both Federal and State judges. I want to thank Senators SPECTER and LEAHY for all the work they have done in putting this legislation together, and for cosponsoring it today.

On the Federal level, the amendment allows for better cooperation between the judiciary and the U.S. Marshal Service. It also puts in place strong measures to protect the personal information of those who sit on the Federal bench.

At the State level, the amendment would authorize Federal grants to improve security at State courts, like the Reno Family Court where Judge Weller works.

These Federal grants might be used by States to strengthen courthouse infrastructure, such as adding bullet-proof windows, or it might be used to hire additional security personnel in the courthouse. In the wake of Monday's shooting, I know the city of Reno and the Washoe County Commission are looking into both of these steps, and I also know they could use our help.

States such as Nevada should always take the lead in protecting their own judicial officers, but we can and should make the Federal Government a better, stronger partner.

In our country, we have 32,000 State and local court judges and approximately 2,400 Federal judges. Our democracy depends on these men and women. They must be able to do their jobs and uphold the law without fearing for their safety.

The time for us to act is now, not after another wake-up call.

The shooting of Chuck Weller is a terrible tragedy, but by passing this legislation, we can ensure at least some small measure of good results.

The PRESIDING OFFICER. Who seeks time?

The senior Senator from Oklahoma.

MORNING BUSINESS

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

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

REVIEW OF INTELLIGENCE AUTHORIZATION ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the following letter be printed in the RECORD.

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

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, DC, June 14, 2006.

Hon. TED STEVENS,
President Pro Tempore,
Washington, DC.

DEAR TED: At the request of Senator John Warner, Chairman of the Committee on Armed Services, and Senator Carl Levin, Ranking Member of the Committee, and pursuant to section 3(b) of Senate Resolution 400 of the 94th Congress, as amended by Senate Resolution 445 of the 108th Congress, I request an additional five session days, ending June 22, 2006, on their behalf, to enable the Committee on Armed Services to complete its review of S. 3237, the Intelligence Authorization Act for Fiscal Year 2007.

Sincerely yours,

WILLIAM H. FRIST, M.D.,
Majority Leader, U.S. Senate.