

Income Home Energy Assistance Program, commonly known as LIHEAP.

I take this opportunity to thank the majority leader for completing the rule XIV process of placing this bill directly on the Senate calendar yesterday. I also want to express my deep appreciation to him for his goal of moving this legislation forward within the next month. I think there is widespread support, in a nonpartisan way, for this legislation, which impacts people when the weather gets hot and it impacts people when the weather gets cold.

This bipartisan bill is being cosponsored by Senators LEAHY, SNOWE, BROWN, SUNUNU, CARDIN, COLEMAN, KERRY, COLLINS, KENNEDY, and SMITH and I expect that the numbers of Senators from both sides of the aisle who will be supporting it will only grow. The bottom line here is pretty simple, and that is: With the cost of energy soaring, we have many millions of Americans wondering next winter how they are going to be able to stay warm, and we have got to expand LIHEAP funding to match the inflationary costs of home heating fuel.

For those people living in warm weather States, what we understand right now is that electricity rates are also soaring. There are many Americans—elderly people, lower income people—who are unable to afford the increasingly high cost of electricity. They run the danger of seeing their electricity cut off. When the weather gets 110 degrees and the electricity gets cut off, and you are a senior citizen or you are a person who is frail or who is ill, you have a problem dealing with heat problems.

So I hope and expect there will be widespread support for this legislation. Once again, I thank the leader for putting this on the rule XIV process.

I also want to say a few words about the Medicare package that was approved overwhelmingly in the House on Tuesday, and which we expect, hopefully, to take up here shortly. This bill is nearly identical to the bill put forth on the floor last week by Finance Committee Chairman BAUCUS, and I thank the chairman for his commitment and his effort in putting together this excellent piece of legislation.

There is a lot in this bill, but there is one particular section I want to focus on, and that is the section pertaining to Medicare payments to community health centers.

Specifically, this bill provides for a much needed increase in the cap on Medicare payments to community health centers, and also requires a GAO study to determine whether the current structure for Medicare payments to community health centers provides adequate compensation for the care provided. I believe it does not.

According to the National Association of Community Health Centers, the artificially low cap on Medicare pay-

ments costs community health centers \$50 million annually—money that could be used to provide primary care access to thousands more of our Nation's seniors. An overwhelming majority of community health centers—a full 75 percent—now lose money—they lose money—treating Medicare beneficiaries. An inadequate and arbitrary payment system jeopardizes the ability of community health centers to continue to provide necessary primary care to the 1.5 million Medicare beneficiaries who are seen at community health centers each year, many of who live in the most isolated and medically underserved regions of this country.

Let me say a word on community health centers, because I am a very strong advocate of that program. The truth is that in the midst of the disintegrating health care system, one of the major crises we are facing is in primary health care access. All over America, especially in rural areas, millions and millions of people simply cannot get access to a doctor, to a nurse, to a dentist, to people who will help them deal with their day-to-day health problems. The insanity of continuing that situation, that lack of health care access, means people will simply get sicker. They are going to go to the emergency room and they will end up in the hospital at far greater expense and a lot more human suffering.

I happen to believe this country has to join the rest of the industrialized world and establish a national health care program which guarantees health care to every man, woman, and child. I think at a time when we spend twice as much per person on health care as any other nation and have 47 million people uninsured and see our social indices, in terms of infant mortality or longevity, much worse than many other countries, I think we should finally conclude there is something fundamentally wrong with our health care system.

Health care should be a right of all people. We should do it in a cost-effective way. The function of health care should not be to make insurance companies rich or make drug companies rich but should be to provide quality health care to every man, woman, and child.

In the midst of all that, while we try to take on the insurance companies and all their lobbyists and while we try to take on the drug companies and all their lobbyists and advertising and campaign contributions, there is one simple thing we can do, where I suspect there is going to be tripartisan support, and that is substantially increase the funding for community health centers. In that regard, I thank Senator KENNEDY and Senator ENZI for a very strong authorization package that came out of the Health, Education, Labor Committee. I thank Senator HARKIN and Senator SPECTER for their

support in giving us a reasonable increase in appropriations funding. But we have a long way to go.

The simple truth is—and this is a point that should be understood by all Members—if we spend as a nation \$2 or \$3 billion more on community health centers, do you know what? We could provide primary health care access to every man, woman, and child. That is about 1 week of the war in Iraq. So you have war in Iraq, 1 week; or \$2 billion or \$3 billion building hundreds of community health centers, providing primary health care, dental care, mental health counseling, low-cost prescription drugs, to every man, woman, and child.

In the course of the coming months and years, I will be fighting for that \$2 or \$3 billion. It certainly is not going to solve all our health care problems, but by providing a place where any American—whether you are insured, uninsured, Medicare, Medicaid—regardless of your income you can walk in and get high-quality primary health care—wow, that is a huge step forward in this country.

In order to make sure these community health centers function, we have to do something else. Do you know what we have to do? We have to graduate doctors and nurses. We are living at a time when we are not graduating from medical school enough doctors or enough nurses or enough dentists. We have to work on that. One of the ways we work on that is to significantly increase funding for the Health Services Corps, a program which provides debt forgiveness and scholarships for those willing to serve in underserved medical areas.

There is a lot of work to be done. I think we are making some progress on the Medicare bill coming before us. The day has to come when all our people, by right, have primary health care access and access to health care.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I was asked by the Senator from Montana, Mr. TESTER, if there would be any objection if I asked that, after I finish my remarks, he be recognized for 5 minutes; that the Democratic time be extended 5 minutes and the Republican time be extended 5 minutes.

Is there any objection to that?

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

#### FISA

Mr. BOND. Mr. President, I know this is morning business, but I need to get people's attention back on FISA, I hope. Let me clarify some things that have been said earlier today. From time to time, some have tried to rewrite the history on what happened 1 year ago in producing the Protect America Act, our first attempt to fix

the problems with foreign intelligence surveillance 1 year ago. That was not pretty, but I note there have been mischaracterizations of it. After last year, many critics of FISA, most notably in the House, tried to rewrite history and discredit ADM Mike McConnell, the Director of National Intelligence, and this compelled me to speak out on the matter at this time. He, in my view, from what I saw, acted in good faith, and he was charged with not having done so. But it seems there is another effort today to rewrite history. I can say, as vice chairman of the Senate Intelligence Committee and the cosponsor of the Protect America Act, I was the lead negotiator during the final hours of the Congress, as we tried to pass a critical short-term update of our Nation's law governing terrorist surveillance.

As one who was there, I dispute the misinformation that was spread and largely by those who were not there. I will outline the events as they occurred, and here is what happened.

As I think most of us know, in January 2007, the President announced that the terrorist surveillance program was coming under the FISA Court. Our Director of National Intelligence, Admiral McConnell, subsequently stated that after that time, the intelligence community lost a significant amount of collection capability and that, combined with increased threat, compelled him to ask Congress to modernize FISA, sooner rather than later.

On April 12, Admiral McConnell sent his full FISA modernization proposal to Congress, and on May 1 he presented it in open session to the Senate Intelligence Committee.

Some would like us to believe that was the first time this became an issue for us, in July, but it was not. The DNI had appeared in open session before the Senate Intelligence Committee and had pleaded with us to update FISA months earlier.

I might say, along with another colleague of ours on the Senate Intelligence Committee, Senator BAYH, we visited Iraq in early May of 2007, and the Joint Special Operations Commander, LTG Stan McChrystal, told us at that time that the blockage in electronic surveillance by FISA was substantially hurting his ability to gain the intelligence he needed to protect our troops in the field and gain an offensive advantage. I believe I, and perhaps Senator BAYH, spoke about that in committee and on the floor.

Immediately following the admiral's testimony in May, I had urged the Intelligence Committee immediately to mark up FISA legislation. I was told by members of the majority that until the President turned over certain legal opinions from the terrorist surveillance program, Congress would not modernize FISA. That Congress would hold America's security hostage to re-

ceiving documents from a program that no longer existed was disheartening to me. We had already received an inordinate amount of documents from the Department of Justice and the Director of National Intelligence. Yet I do not dispute the desire or the right of members to seek privileged documents from the executive branch. In fact, I joined in requesting some of that. But I did disagree with holding up FISA modernization when those documents were not necessary to do that.

Despite the urging from the Director of National Intelligence, and knowing this outdated law was harming our terrorist surveillance capabilities, for more than 3 months Congress chose to do nothing. Let me be clear, it was Congress that chose to ignore the pleas of the intelligence community. As a matter of fact, in late June, Admiral McConnell had a briefing for the entire Senate. I believe about 42 to 44 of us showed up there. He briefed Members of the Senate, again urging us to modernize FISA. Finally, his pleadings began to gain traction.

In mid-July, Members of Congress agreed to discuss a short-term, scaled-down version of FISA to protect the country for the next few months before we could address comprehensive reform in the fall. Admiral McConnell immediately sent Congress his scaled-down proposal.

Over the next week, Admiral McConnell was given nearly half a dozen versions of unvetted proposals from various congressional staffs across Congress and then pressed for instant support of these proposals. The admiral returned a compromise proposal to the Senate, including some of the provisions requested. Unfortunately, there were numerous bait and switches that took place during that time.

Since the bipartisan committee process was circumvented to craft legislation behind closed doors without input from the relevant committee and the minority, it got messy in the final hours. Even as the vice chairman of the Intelligence Committee, I was excluded from the key meetings. Not only was I excluded, most members of the Intelligence Committee, Republican and Democratic, were left out of the process.

Therefore, in the waning moments before the recess, I got together with a number of Democrats, including several from our Intelligence Committee, to discuss the short-term approach for the Protect America Act that Leader MCCONNELL and I had introduced and which had the support of the DNI and the Department of Justice.

Finally, on August 3 and 4, Congress, on a strong bipartisan basis and a desire to get out of town for the August recess, passed the Protect America Act.

That was why it was jammed up. The administration was not trying to stiff

us. The administration felt it was being stiffed. Fortunately, a solid, bipartisan majority of the Senate came together, passed the bill, and gave the House, regrettably, no choice but to pass it—which they did. But after the passage of the act, I think we all learned a good lesson. We sat down together on the Senate Intelligence Committee and began, on a bipartisan basis, to work out a permanent solution to FISA. I am very thankful we could do it. We put in a great deal of work. We spent a lot of time with the DNI, with the lawyers and the operatives for the program, and Senator ROCKEFELLER and I worked, in a bipartisan fashion, to come up with a strong committee bill that we passed out of the Senate later on a 68-to-29 vote.

I thank my colleagues on the committee, their staff, and all the Members of Congress who supported us, particularly the 68 who came and voted aye to pass the FISA amendments in February.

That started the process that led us to where we are today. There is a strong bipartisan product before us. There were changes, cosmetic changes largely, made that the House believed were important and the intelligence community assured us would not interfere with their ability to collect information under the structure we had set forth in the FISA amendments that were passed by the Senate.

That is where we are today. I am ready, willing, and able, whenever it is the will of the leadership, to act on amendments that may be before us and try to pass this bill so we will have some certainty for the intelligence community that they will know what the guidelines are for the next period through 2012.

In any event, I will be back when we get on the bill to go over some of the items which are in question. But I think you see our chairman, Senator ROCKEFELLER, who is on the floor, and I can assure you this is a good, solid, bipartisan bill that we should pass.

I see it is a good time to yield the floor.

The PRESIDING OFFICER. The Senator from Montana is recognized, pursuant to the previous order.

#### GI BILL

Mr. TESTER. Mr. President, I rise in support of the bipartisan Webb GI bill, and I urge the Senate to join me in voting to pass it without further delay. As a member of the veterans committee, this legislation has been a big priority of mine for the past year and a half.

Montana is home to more than 100,000 veterans. I have spoken with many of them over the past year and a half, and I was very pleased to work on their behalf last year for the largest increase in funding in the history of the VA.