

Mr. MCCONNELL. Mr. President, I thank my good friend, the majority leader, for his observations about our discussions over the last few days about the possibility of consideration of some amendments on this side of the aisle. I have been presenting those amendments to the majority as we have collected them. There are a number of concerns Members on this side of the aisle have that they would prefer to see addressed through the amendment process, particularly given the magnitude of this bill. I appreciate the majority leader considering those requests and will continue to funnel those amendments over as we get them.

Let me just say, by way of comparison, we have been here before. Four years ago last month, the Senate had just changed hands from the Democrats to the Republicans. Our good friends on the other side of the aisle, at that point, had also not passed 11 of the 13 appropriations bills. What the new Senate majority did in January of 2003 was to take up a collection of bills, typically referred to around here as Omnibus appropriations. Over 100 amendments were offered during the process of consideration of that collection of appropriations bills, after which they were passed. I had hoped that would have been the way we would have proceeded this year. There was precedent for it 4 years ago.

Nevertheless, I understand the concern the majority leader has about completing this work before midnight a week from now, and I understand the other complications presented by trying to do a measure of this magnitude in such a short period of time. Nevertheless, we will be continuing our discussion, the majority leader and myself, about the possibility of offering amendments that Senators on our side of the aisle believe are important and would improve this massive bill, which would fund the Government from now until September 30 of this year.

Mr. President, I yield the floor.

Mr. REID. Mr. President, if I could make one final statement—I see the distinguished Senator from Texas on the floor—I have not only heard from her staff but a number of her colleagues. This is one of the amendments my staff is working on now to see if there is some way we can maybe allow the Senator to move forward. But I say to the Senator, I want you to know we are looking at it. I have had personal conversations with my office staff based on being directed that way by the Republican leader. So we are taking a look at this. I want you to know that. There are other people who have concerns, not just you, about base realignment closings. What is it called? BRAC, base realignment. OK.

Mrs. HUTCHISON. Mr. President, if I could ask the majority leader if I could respond.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I so appreciate what you have just said. I

do hope the door is still open. Originally, I had hoped we could do the military construction as well as the base-closing commission funding because the delays are going to have impacts throughout the military services. But the amendment I am hoping to offer, that I am told now you are considering—the Hutchison-Inhofe amendment—only does the BRAC funding. It only restores the funding for BRAC so that the 6-year time allotment this Congress itself has mandated for BRAC to be completed can, in fact, be done. If we delay the BRAC, it will have severe consequences on 12,000 troops coming home hopefully this year. And there are so many other things. I know some of the Members on your side of the aisle have talked to you about environmental remediation that will not be able to be done, and other things. So I do hope we can work this out so the House could approve it and we would not have to have a conference.

I hope the majority leader will also consider, when we do go into the supplemental, looking at some of the MILCON that must be done before the 2008 budget starts for that year of funding. There are some prerequisites that are necessary. But I have set that aside in deference to the wishes of the majority to try to move a bill forward. But I do think the BRAC has been the single area where we have not been able to accommodate what needs to be done to move forward. And delays are very costly.

I do thank you for making it a point to say that to me, and I think we certainly would have time. I would work with anyone on the Democratic side or House side to work out differences, if there are differences. All of these projects in the \$3.1 billion we would like to put back in have been approved by Congress, approved by the Senate, and asked for by the Department of Defense.

Mr. REID. I will be brief because I know the two managers of the bill need to speak. As the distinguished Senator from Texas knows, I have recognized the good work she and Senator FEINSTEIN have done on the Military Construction Subcommittee. It has been exemplary. It speaks volumes about how the Senate has changed, that we had two women taking care of the billions of dollars needed every year for military construction. I know you know this issue.

On the BRAC issue, I have spoken to Senator BYRD and his staff. That was one of the big issues that was in the beginning of trying to get this CR to the point where it is. I personally have spoken to Chairman OBEY about this issue. This is a problem. It is a problem that has been raised by Members of the House of Representatives and Senators. You have my assurance that we will continue to look at this amendment. I spoke to Chairman OBEY, because he is getting a lot of talk on the other side. He said: If you don't work something out on this, you have my commitment

that we will take care of this in the supplemental appropriations bill. We are weighing all the considerations we have in the most important phase of keeping our military safe, not only keeping them safe but doing what we promised them to do, not only them but their community which is depending on what we do here to make up for the bases we are closing.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from West Virginia.

Mr. BYRD. Madam President, I want to assure all Senators that the Appropriations Committee intends to address the \$3.1 billion increase proposed in the Senator's amendment when the Senate takes up the \$100 billion supplemental that the President sent to the Congress this week. I have every expectation that the supplemental will be before the Senate next month.

Today marks the 131st day of fiscal year 2007. We are debating H.J. Res. 20, a joint funding resolution for the nine remaining appropriations bills that were not completed during the 109th Congress. The Republican leadership, during the 109th Congress, left us with a great deal of unfinished business in the appropriations process. Only 2 of the 11 appropriations bills were enacted into law. Thirteen of the fifteen Federal departments—all but Defense and Homeland Security—are limping along through February 15 under a very restrictive continuing resolution.

This is not the fault of the Appropriations Committee. Under the very able leadership of Chairman THAD COCHRAN, all of the fiscal year 2007 appropriations bills were reported from the committee by July 20. All of the bills were bipartisan bills, with all but one of the bills approved, 28 to nothing, in committee. Unfortunately, the Republican leadership chose not to bring domestic appropriations bills to the floor before the election and then chose not to finish those bills after the election. Instead, Congress passed three very restrictive continuing resolutions.

These resolutions, if simply extended, would leave huge problems for veterans and military medical care, education programs, law enforcement programs, funding for global AIDS, for energy independence, and for agencies that provide key services to the elderly, such as the Social Security Administration and the 1-800-MEDICARE call centers.

In December, I sat down with my friend, Senator REID, and the new House Appropriations chairman, DAVE OBEY, to plot a course for dealing with this problem. We charted a course for developing a bipartisan and bicameral funding resolution that the House and Senate could pass quickly. During January, there were intense negotiations, which included the majority and the minority in the House and Senate. I consulted with Senator THAD COCHRAN several times during that process, and his ranking members and their staffs were included throughout the process.

The resolution that passed the House last week and is now before the Senate is the product of those efforts.

The resolution, which totals \$463.5 billion and provides funding for the nine appropriations bills that were not completed during the 109th Congress, meets several goals. Namely, first, funding stays within the \$872.8 billion statutory cap on spending, the cap which was set during the 109th Congress and which equals the President's request. Second, the legislation does not include earmarks—hear me—the legislation does not include earmarks. The Appropriations Committee took the lead in confronting the earmarks issue. We eliminated over 9,300 earmarks. We will have a temporary moratorium on earmarks until Congress passes the ethics reform bill. Hopefully, that bill will establish greater transparency and accountability in the earmarking process. Once the ethics reform bill is in place with its added transparency, we will establish a more open, more disciplined, and more accountable process for congressional directives in the fiscal year 2008 bills.

Third, there is no emergency spending in this resolution.

Fourth, for most agencies, funding is set at the fiscal year 2006 level. This formula replaces the current restrictive formula which was based on the lower of the fiscal year 2006 or the unsustainable House-passed level.

Finally, the essential national priorities receive a boost in the legislation. To help pay for these essential national priorities, we cut over \$11 billion from 125 different accounts and we froze spending at the 2006 level for 450 accounts.

While we decided to include a continuing resolution formula for funding most agencies, it was essential that we, on a bipartisan basis, make choices to deal with the many problems that would result from simply extending the current continuing resolution.

As noted in the White House Statement of Administration Policy, many of these increases also reflect administration priorities. For example, for veterans medical care, we included \$32.3 billion, an increase of \$3.6 billion over the fiscal year 2006 level, so that the VA can continue to meet the growing demand for health care for our veterans. For defense health initiatives, we included \$21.2 billion, an increase of \$1.2 billion over fiscal year 2006, to provide care for military members and their families, including treating servicemembers wounded in action in Iraq and Afghanistan. Consistent with the fiscal year 2007 Defense Authorization Act, the President's proposal to charge members of the military \$735 million for their health care is rejected.

For the Labor, HHS, and Education bill, funding is increased by \$2.3 billion, \$7 billion above the President's request. Title I grants for our schools are funded at \$12.8 billion, an increase of \$125 million over fiscal year 2006, which will provide approximately 38,000 addi-

tional low-income children with intensive reading and math instruction. In addition, the legislation funds the title I school improvement fund at \$125 million to target assistance to the 6,700 schools that failed to meet the No Child Left Behind requirements in the 2005–2006 school year.

For the first time in 4 years, Pell grants will expand thanks to the \$13.6 billion included in this legislation, an increase of \$615.4 million over fiscal year 2006 that will increase the maximum Pell grant by \$260 to \$4,310.

The National Institutes of Health are funded at \$28.9 billion, an increase of \$620 million over fiscal year 2006, for research to cure debilitating and often deadly diseases. Community health centers would receive \$1.9 billion, an increase of \$207 million, to finance more than 300 new or expanded health centers.

Three hundred million is included for the Federal Mine Safety and Health Administration, MSHA, an increase of \$23 million over fiscal year 2006 and \$13 million more than the request, to allow the agency to continue its national efforts to hire and train new mine safety inspectors for safety in the Nation's 2,000 coal mines.

The legislation increases funding for Federal, State, and local law enforcement by \$1.6 billion. According to the FBI, last year violent crime rose in America for the first time in 15 years. In response, this legislation directs \$6 billion to the FBI, an increase of \$200 million over fiscal year 2006, to ensure that the FBI not only retains all of its special agents but also completes the effort to double the number of intelligence analysts hired since September 11, 2001. Other law enforcement programs receiving support include State and local law enforcement grants, the Judiciary, Treasury antiterrorism efforts, and other crime prevention programs.

Under the continuing resolution now in law, highway funding is frozen at the 2006 level. Under this joint funding resolution, the Federal aid highway program is fully funded at the level guaranteed in the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act by providing an obligation limitation of \$39.1 billion for fiscal year 2007, \$3.5 billion over the fiscal year 2006 enacted level.

The joint resolution includes \$4.8 billion for Global AIDS and Malaria programs, an increase of \$1.4 billion over fiscal year 2006.

The Food and Drug Administration and the Food Safety and Inspection Service receive increases of \$220 million over fiscal year 2006 in order to improve food and drug safety and to combat the threat of pandemic flu.

We also include funds for technology and innovation. The Department of Energy, Office of Science receives an increase of \$200 million over fiscal year 2006; the National Science Foundation receives an increase of \$335 million, and the National Institute of Standards

and Technology receives an increase of \$50 million.

In an effort to promote energy independence, Energy Efficiency and Renewable Energy programs will receive an increase of \$300 million over fiscal year 2006.

Finally, we also include \$785 million to provide agencies with 50 percent of the cost of the January 2007 pay raise in order to avoid RIFs and furloughs. The resolution will avoid the service delays for Social Security and the 1–800–Medicare call centers that would result from extending the current continuing resolution.

This is not a perfect resolution—we don't claim that—but it is a thoughtful resolution. By complying with the statutory cap on spending, it is a fiscally disciplined resolution. By eliminating earmarks, it provides Congress with time to pass ethics reform legislation to increase transparency and accountability. By targeting resources toward national priorities, such as veterans and military medical care, we solve the most distressing of the problems created by the existing continuing resolution.

On February 2, 2007—that was Groundhog Day, wasn't it—I received a letter from the Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed Veterans of America, and AMVETS, urging quick passage of this legislation.

I ask unanimous consent that the letter be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BYRD. Madam President, adoption of this joint resolution will ensure that we answer some of our Nation's most pressing needs and avoid a totally unnecessary Government shutdown. The last time each of the appropriations bills was signed into law by October 1, the beginning of the fiscal year, was 1994. I was the chairman of the Appropriations Committee that year. I am committed to working with my friend and colleague, Senator THAD COCHRAN, to bring 12 individual, bipartisan, and fiscally disciplined fiscal year 2008 appropriations bills to the floor this year.

I urge swift adoption of the resolution. I thank all Senators.

I yield the floor.

EXHIBIT 1

THE INDEPENDENT BUDGET A BUDGET FOR VETERANS BY VETERANS

FEBRUARY 2, 2007.

Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATOR BYRD: On behalf of the co-authors of The Independent Budget—AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars—we urge you to quickly pass H.J. Res. 20, a bill making continuing appropriations for FY 2007 for the federal government, including the Department of Veterans Affairs. Currently, the VA is operating at FY 2006 funding levels.