million—to the Omnibus appropriations bill. This is important, and I appreciate that. I think people all over this country appreciate that.

Unfortunately, however, this total of $2.6 billion in funding for LIHEAP, the Low Income Home Energy Assistance Program, that so many people, so many elderly people depend upon in order to stay warm in the wintertime, while it is an 18-percent increase from last year, it is still 23 percent below what was provided for LIHEAP just 2 years ago in nominal dollars. Meanwhile, as everybody knows, the cost of home heating fuels has soared. Compared to 2 years ago, heating oil prices are projected to be 50 percent higher this winter. The price of propane will be 26 percent higher, and electricity prices will be 14 percent higher. These high prices, coupled with the reduction in LIHEAP assistance compared to 2 years ago, mean States will be forced to either reduce the number of people who receive LIHEAP and cut down somewhat LIHEAP funding, or to significantly cut back on the amount of money that people will be receiving. There is no question about what will happen if that occurs: People in the United States of America will be cold, is possible that some may actually be freezing.

Two years ago, thanks to the leadership of Senator Snowe and many other Senators, LIHEAP funding was increased by $1 billion above the appropriation level of 2005. It was then the belief that we faced a home heating emergency. Well, if we faced a home heating emergency at that point, let me tell my colleagues we face one today that is even more severe. In the State of Vermont and all over this country, we are having elderly people living on fixed incomes who are looking at the soaring prices of home heating fuels. They are scared to death. It seems to me that we have the moral responsibility as the Senate of the United States of America to do something for those people before we adjourn.

I thank my colleague, Senator Leahy from Vermont, as well as Senators Coleman, Klobuchar, Snowe, Obama, Dole, Rausch, Sununu, Cantwell, Collins, Casey, Lieberman, Landrieu, Kerry, Kennedy, and Clinton for supporting an amendment that will essentially increase LIHEAP funding by $300 million, half of which will go into the normal LIHEAP formula, half will go into emergency funding to be used at the discretion of the President.

While those Senators are already on board, I know there are many other Senators—Republicans, Democrats, and Independents—who are also wanting a vote to show the people back home that we have not forgotten them and that we do not want any Americans to go cold this winter.

Let me simply conclude by suggesting to you that the people of our country all over America are losing faith in the U.S. Government. That is no secret. Polling for the President, polling for Congress is at an almost all-time low. They think we are concerned about a whole lot of issues, but we are not concerned about them. It seems to me that before we go home to our well-heated homes, before we go home to our warm offices, that we not turn our backs on those who are most in need. I think we have to act boldly to restore faith in the U.S. Government, and I hope that before we leave, we can get a vote on this floor with bipartisan support, and that we can move this legislation forward.

Mr. President, with that, I thank my good friend, Senator Byrd, the outstanding leader of our Appropriations Committee, for yielding, and I yield back the remainder of my time.

Mr. BYRD. Mr. President, I thank the very distinguished Senator for his remarks.

Mr. LEAHY. Mr. President, the Senator from West Virginia has the floor, but would he yield me at least a couple of minutes to what my stodgy colleague from Vermont just spoke about?

Mr. BYRD. Yes, Mr. President. I am glad to do so.

Mr. LEAHY. Mr. President, I thank the distinguished chairman. I agree with what the Senator from Vermont has just said. In our State, cold weather is not a rarity, it is a fact of life, especially this time of the year. The thermometer on my front steps goes down to 20 below zero. Many times there is no mercury showing because it has gone below that.

Now, that is not theoretical cold, that is cold you die from. I know what it cost us in filling the tank for my own furnace this year, and I wonder how many people who are not privileged to have the kind of salaries all of us do, how they possibly do it. It is not a matter of just helping; this is a matter of life or death. It is not a matter of just comfort. We are not talking about the weather being in the fifties and perhaps you can just put on more sweaters or more coats; we are talking about it being 5 or 10 and 15 and 20 degrees below zero, or even today in Burlington, VT, it began at zero. The temperature was at zero, and then it warmed up from last night. In those situations you die if you don’t have heat. It is not a question of being comfortable; you die. It is as simple as that. You die. There are a lot of people who cannot afford this.

I will work with the distinguished Senator from Vermont, as I have with my colleagues on both sides of the aisle, in trying to get more money after this bill is passed for LIHEAP. I know the distinguished Senator from West Virginia has supported us every single time on LIHEAP. He also knows what it is like in those rural areas of West Virginia where people barely eke out a living and what happens to them when the snow is falling and it is cold outside. There is no heating because they are cold and the parents are doing everything possible to keep them warm. We will work on this.

I thank the Senator from West Virginia for yielding me the time.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

CONSOLIDATED APPROPRIATIONS ACT, 2008

Mr. BYRD. Mr. President, the Constitution grants to Congress an extensive array of powers, each of which in one way or another touches the lives of every 1 of the 300 million people who live in America today. But of all of those powers so carefully inscribed in article I, none is so powerful or so necessary for the welfare of our country as the power to appropriate monies—monies from the Federal Treasury. But it is not simply within the power of the Congress to appropriate funds for the operation of the Government. It is a duty that must be exercised each year to protect our liberties depends upon Congress providing the funds that are necessary to do so.

The bill that will soon be before the Senate, the Consolidated Appropriations Act of 2008, is essential legislation for the country. It includes 11 of the 12 annual appropriations bills. In all, it appropriates $743.5 billion—spelled with a B. Mr. President, a capital B. That is $743.50 for every minute since Jesus Christ was born.

It appropriates $743.5 billion for the operations of nearly every agency in the Federal Government, save for those funded by the already-approved Defense Appropriations Act.

The bill contains an additional $42.2 billion in emergency spending, including $31 billion for the war in Afghanistan and for force protection for our troops—American troops, our troops—in Iraq. I wasn’t for going there; I was against our going into Iraq. But we are there. We are talking about our troops who are there in Iraq.

The President’s budget, as submitted, simply did not include sufficient funds for the health of our veterans. This bill provides $3.7 billion more than requested to make sure the Veterans’ Administration can provide better care for our veterans.

The bill also includes $3 billion of emergency spending for border security, $622 million for drought relief, $300 million for firefighting in the West, and $250 million for home energy assistance. Emergency funds totaling $2.4 billion are also included for peacekeeping operations in Darfur, refugee assistance, and other foreign assistance programs. We also pay $194 million for the replacement of the bridge which recently fell into the Mississippi River.

The consolidated appropriations bill contains an unprecedented level of transparency and accountability for every dollar appropriated, including specific Member-requested projects and earmarks. Each and every earmark contained in the bill or described in the explanatory statement is accounted for.
in the tables that are part of the joint explanatory statement. These tables describe the project, they describe the level of funding approved, and they provide a list of the Members of either the House or the Senate who requested the item. It is true, as clear as the noonday Sun in a cloudless sky. How is that, BERNIE? We are not supposed to address other Members directly, but in this instance, I know I will be forgiven. These tables, as I say, describe the level of funding approved and a list of the Members of the House or the Senate who requested the item. All information required by Senate rule XLIV is included in the explanatory statement accompanying the amendment. Read it, Senate rule XLIV.

The total dollars that are earmarked is reduced—hear me now—by 43 percent. That “ain’t” chickenfeed. The total dollars that are earmarked is reduced by 43 percent compared to the appropriations bills signed into law by the President 2 years ago. It is imperative this bill be approved not the week after next, not next week but this week. Last May, Congress passed a budget resolution that balanced the budget by 2012 and permitted Congress to approve appropriations bills at a level of $21.2 billion above the President’s request. The Senate was able to work constructively on a bipartisan basis to address the needs of the American people. After the deadly bridge collapse in Minnesota, the Senate voted 88 to 7 to provide additional funds to repair crumbling bridges. At a time when crime rates are on the rise, the Senate voted for a bill that puts more cops on the street by a vote of 75 to 19. While oil prices are soaring, the Senate voted 75 to 19 to pass a bill providing more help to low-income families so they can pay their heating bills at a time of these record prices.

After the shocking state of the Walter Reed Army Medical Hospital made the news, the Senate voted 92 to 1 to approve a bill increasing VA spending to allow better care for our returning warriors. Because our borders are in need of additional enforcement to stem the tide of illegal immigration, the Senate voted 89 to 1 to approve an amendment with billions more for border security. The operation for other purposes—appropriations process forward, while addressing the crucial needs of this country, would not have been possible without the diligent work of the committee’s ranking member. Who is that ranking member? The distinguished and venerable Senator THAD COCHRAN—may his tribe increase. That is from Abou Ben Adhem, in case you have forgotten.

It is refreshing to know that in this era in which each political party is urged to view the other as a mortal enemy, there is hope for at least one oasis of comity in which the duty to govern is still taken seriously. I thank my friend, Senator THAD COCHRAN, and all the other Members of the Appropriations Committee for their hard work, their diligent work to produce each—now listen to this—each of the 12 appropriations bills and for all their cooperation and assembly of this Consolidated Appropriations Act. Sadly, the President does not share our view that we must invest in America, apparently. The President—your President, my President, our President—contested defense funds by increasing the budget by 10 percent. The President proposed to increase foreign aid by 12 percent. The President—your President, my President, our President—proposed a $195 billion of emergency spending for wars; and yet the President believes this 7-percent increase we sought for domestic programs was fiscally irresponsible. As a result, he, the President—your President, my President, our President—threatened to veto 9 of the 12 appropriations bills.

Under our Constitution, the President has the power to veto. He does. Nobody disputes that. And the President made it clear, crystal clear, as clear as the noonday Sun in a cloudless sky, that he intended to veto our bills. We are already 10 weeks into the new fiscal year. It is time to goven. There is a time in a month when we say it is time to govern. There must be compromise from time to time, and so working together across the aisle, such as Senator THAD COCHRAN and I—we shake hands, we argue, we debate, and yet we work together. At the end of the day, we put our arms around each other and walk out of this Senate together. So working together across the aisle, we have cut $17.5 billion from the original levels approved by the Appropriations Committee. As a result, domestic programs receive only a 3-percent increase. I am not pleased with this outcome, but I urge all Senators to support the consolidated bill.

Within this limits set by the President, we have done as best we could, the essential priorities of this Nation—your country, my country. For our veterans, this package includes a record $43.1 billion in funding for the VA. That is a lot of money—$43.1 billion in funding for the VA, an increase of $3.7 billion over the President’s request. The bill provides $37.2 billion for veterans health care, and an additional $124 million is included to hire more VA personnel. It includes a 6-month backlog of benefit claims.

Funding for the National Institutes of Health is $613 million above the President’s request. Energy prices are going through the roof, and we provide $788 million more than the President requested for the Low-Income Home Energy Assistance Program, which gives 2 million more families additional help for winter heating bills at a time of these record oil prices. Despite the fact that violent crime is on the rise—hear this, violent crime is on the rise—for the first time in 15 years, the President wanted to cut State and local law enforcement, but there is that conjunction “but”—we have restored $1.2 billion to that unwise cut. The President requested $2.4 billion in funding for the President’s request, 600,000 women, infants, and children would lose important nutrition assistance. We fully fund—yes, we fully fund—the WIC program.

This package also makes education a priority—education by increasing Head Start by $114 million, stopping the proposed cut of 30,000 slots for early childhood education. This additional $118 million for No Child Left Behind means that tens of thousands of disadvantaged students will get the help they need to succeed in school. For college students, the amount for Pell grants is increased to $4,731 per year.

The President proposed to eliminate or slash numerous programs for our communities such as rural health, rural housing, and clean water programs, but we have restored money for all of those programs. The President wanted to slash funding for vital infrastructure programs, but we included the Congress increased funding: For highways? Yes. For repairing bridges? Yes. For airport improvements? Yes. And for Amtrak. Amtrak. All aboard for Amtrak.

At my direction, this bill includes a $20 million increase above the President’s request for mine safety. Now I know something about that. I know something about the need for mine safety. I am the son of a coal miner. This money will save lives. Despite the failure of FEMA to adequately respond to Hurricane Katrina, the President wanted to slash funding by over $1.5 billion for first responders. We restore those cuts—how about that—and actually increase funding by $50 million.

I am pleased also that the bill includes $31 billion for the wars in Iraq—I was against that war. I said we ought not go in there; we have no business being in there, but we are in there—and Afghanistan—I was for that war—including $16 billion for the war in Afghanistan, over $10 billion for force protection in Iraq, such as body armor and systems to defeat IEDs. $1.1 billion for the Wounded Warrior program, and $3 billion for other programs. It is a balanced package—a balanced package—and I support it. The bill invests in the security of our homeland and supports the men and the women who are on the front lines of protecting our communities. The Border Patrol will hire 3,000 more Border Patrol agents to protect our borders. We nearly double funding for port security, chemical security—we know what that is about down in the Canaan Valley of West Virginia—and transit vehicle security. The Justice Department will hire 100 new U.S. Marshals, 200 DEA agents, and 160 FBI agents, and we provide funding for hundreds of
The President, in February, delivered a budget request to the Congress that included a robust increase for our Armed Forces, very few increases for nondefense discretionary programs, along with many proposed program cuts. Appropriations bills reflect the priorities of the Congress; both from the majority and minority perspectives, but the bill also reflects the very real concern about overall spending levels held by the President and most Members, certainly on the Republican side of the aisle.

The bill is, without question, an imperfect product of an imperfect process, but I think every Member of this body would rather have the opportunity to vote on appropriations bills individually than lumped together in one giant omnibus bill. I regret that the Senate did not take up and consider all 12 of the appropriations bills individually. When we fail to take up all of the bills, we invite the President to bump what is left over all the other bills together, such as this one, and we weaken the opportunity for the Senate to influence the content of these bills and shape the final legislation. I hope next year the leader will redouble his efforts to make time for consideration of all the appropriations bills, even though it is quite possible that we will again disagree with the President over appropriate amounts of discretionary spending.

Having said that, this omnibus bill is, in my view, superior to many of its predecessors in one sense: It contains virtually none of the legislative matter that is so often added to omnibus bills. And I give great credit to the chairmen from West Virginia, and our two leaders, Mr. REID and Mr. MCCONNELL, for this fact. The business of the Appropriations Committee is complicated enough without importing legislative baggage from other committees in a way that often undercuts the delicate bipartisan and bicameral negotiations in other arenas.

I also note that the bill includes none of the riders or funding prohibitions that the President previously identified as likely to prompt a veto. While I am sure this is a disappointment to some Senators, it is an important factor in our being able to support the omnibus portion of this bill.

I also wish to touch briefly on the subject of earmarks. Much has been made about earmarking throughout the year. Clearly, there have been past cases of abuse, just as historically there have been abuses of legislative powers in other areas. I hope the heightened scrutiny and transparency of this Administration will eliminate any such abuses going forward. The Appropriations Committee and its staff have made extraordinary efforts to add transparency to the process going back to well before the enactment of the ethics reform bill. I think all Senators are comfortable in openly defending the funding priorities they advocate and suggest be included in appropriations bills. But when they should be. This is another reason why it is so important that the Senate make time to consider all of the appropriations bills in an orderly process.

The total amount of congressional earmarks funded in this bill is well below the level included in the fiscal year 2006 appropriations bills. I know the amount is reduced because we hear the protests from our colleagues and from our constituents as well. Whether the amount of earmarking in this bill is ideal, I don’t know. I suppose it depends on the interests of the beholder. What I do know is Congress should never yield its right or its power to make annual spending decisions and include those decisions in the appropriations bills. Congress should not leave it up to the executive branch, and it should not be persuaded that last year’s decisions are the right ones for the next year. That is why we have an annual process. But if the omnibus amendments are not considered, continuing resolution might appear to be an easy way to avoid controversy and disagreements. It is an abdication of our responsibilities.

The Congress has already spent millions of dollars on appropriations bills and make modifications to bills as a result, so be it. But ultimately we need to finish our work in a timely fashion and provide Federal agencies and departments with a set of directives and spending priorities that reflect the collective will of the legislative branch in consultation with the executive branch. That is why we have hearings at the beginning of the annual appropriations processes, to give the views of those who write the bill, those who finance the programs, to invite executives from the various departments to tell us what their challenges are, tell us what the President’s priorities are, what the Cabinet Secretaries think about their needs and their suggestions for appropriate funding levels. We take those into account. These are serious issues that have to be considered by the Congress. That is what the Appropriations Committee tries to do every year, in reviewing the President’s budget requests and the information we receive at our annual hearings.

Finally, I wish to say something about one part of this bill. Without question one that has to be fixed. The amendment adopted by the House of Representatives includes $31 billion to fund the deployment of American men and women overseas in the global war on terror. But the amendment restricts operating funds to those fighting in Afghanistan and does very little to support our troops deployed in Iraq. While I understand the political need for the House to attempt to thread what it wrote this amendment, I think the message it sends to our men and women who are deployed in these countries is unfortunate.
The Senate dedicated a serious amount of floor time to the debate of Iraq policy this year. The debate was, of course, earnest and sometimes informative. Amendments have been offered and voted upon with vigor. Yet while the debates demonstrated a strong and sincere desire among Members to successfully conclude operations in Iraq as quickly as possible, there remains no broad consensus on any particular alternative to the policy currently advocated by the President or Ambassador Crocker or General Petraeus. Let’s be honest, that policy has produced undeniable successes in recent months. I am sure deeply felt disagreements remain on the subject of Iraq policy. But we have tens of thousands of American men and women who are deployed in Iraq and Afghanistan, performing missions assigned to them by our Government and with the blessing of Congress at the outset. Those men and women need the resources to succeed. To try to change American policy in Iraq by slowly starving our troops of resources they need is unfair to them and very dangerous to our Nation’s interests. We should reject the House alternative to the policy currently advocated by the President or Ambassador Crocker or General Petraeus.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE RETIREMENT OF DR. BILL HOGARTH

Mr. STEVENS. Mr. President, at the end of the year my good friend Dr. Bill Hogarth will be leaving his position as the leader of the National Marine Fisheries Service. Bill is the Assistant Administrator for Fisheries for the National Oceanic and Atmospheric Administration, and his departure will mark the end of a 6-year tenure in this post.

Throughout Bill’s career with the National Marine Fisheries Service, I have had many opportunities to work with him on fisheries issues critical to the State of Alaska, to the Nation, and to international fisheries management organizations. Bill’s knowledge of our fisheries and commitment to science-based management have helped to conserve and rebuild many of our most important fish stocks, both domestically and internationally.

Last January, the President signed our reauthorization bill for the Magnuson-Stevens Fishery Conservation and Management Act, which mandates an end to overfishing by requiring fisheries management councils to adhere to science-based catch limits. As we wrote that legislation, my colleagues and I worked with Bill to ensure this political will would be backed up by the advice and insight into our Nation’s fisheries regulations proved to be indispensable.

In Alaska, which has half the coastline of the United States and produces half of our Nation’s fisheries products, Bill has also demonstrated a firm commitment to both conserving and supporting our State’s fisheries. Under his tenure, the fisheries service has invested in the scientific research and facilities that will enable sound conservation of our State’s fish stocks. Bill has also ensured effective implementation of all fisheries legislation important to our State.

Alaska native communities have also benefited under Bill’s leadership. He knows that the survival of our Alaska Native villages relies on maintaining access to fisheries and marine mammals, and therefore Bill worked hard to ensure that this access is upheld. At this year’s meeting of the International Whaling Commission, Dr. Anchorage, during which Bill served as Commission Chairman, he secured the subsistence bowhead whale quota for Alaska Native communities. This was a significant victory at a contentious meeting, and our communities owe Bill a debt of gratitude for his achievements.

I am pleased that Bill will be remaining on as Chairman of the International Whaling Commission. I look forward to continuing to work with him in this capacity. This will build on his other achievements in the international arena—such as the International Commission for the Conservation of Atlantic Tunas, where, as Chairman, he was at the forefront of the fight against illegal, unreported, and unregulated fishing—a serious threat to all global fish stocks.

I thank Bill for his many years of service to our fisheries and fishing communities. I also thank him for his cooperation and friendship as we worked to achieve our common goals of fisheries sustainability. I think he has done a grand job for the Nation, I wish Bill and his wife Mary, all the best in the future. I yield the floor.

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