

was truly tangential to the war effort. It went to the core issue of the Defense budget, which is still spending over \$400 billion. That is on top of the supplementals. They were using this shadow budget, where they knew they had no restraints, to basically pick up spending which should have been in the core budget and had at least gone through the authorizing process.

There were a number of items in there that fell into that category, including the whole restructuring of the Army. And now we are hearing they may even have joint strike fighters in this next supplemental, two of them potentially. At least that is what has been reported. Maybe they will be out by the time it gets here because light has been shined on them.

The fact is, it shouldn't work that way. We know we are in a war. We know, approximately, what that war is going to cost. We should have a process which reviews it in an orderly fashion, and that is the way it was historically done here.

The Vietnam war was appropriated and authorized. Almost all the spending went through an authorizing and appropriating process. Almost all the appropriations of the Korean war went through the authorizing and appropriating process. It is a very predictable number right now, or within range of a very predictable number. They don't have to send \$170 billion up as a supplemental and designate it an emergency to fight this war. We know it is going to cost us in that range, and it should go through the authorizing process and then through the appropriating process. It shouldn't come up as an emergency.

Sure, there may be some amount on top of that which may occur during the year, we may need to put in another X number of dollars, and that may be a legitimate emergency, but the core spending of this war should be accounted for in the regular order and reviewed so it doesn't end up being a gamesmanship exercise coming to us from downtown which is essentially to avoid, ignore, and mute the capacity of the Congress to have an impact on how the spending occurs, whether it is legitimately part of the war or legitimately part of the Defense Department.

I am concerned about this situation. I have heard mumbling from the administration, at least from OMB, that they are going to try to budget for this stuff that is appropriately not in the war—by “this stuff,” I mean things that are appropriately not in the war effort but are in the Defense Department's underlying budget—and that they are going to take those out and put them in the underlying Defense budget.

They need to do more than that. They need to structure the budget they send up here so that if they want to have a separate account for the war fighting, fine. I can understand that because we don't want to build it into the

base. I am 100 percent for that. But it shouldn't be a separate budget, an emergency budget, and it should go through the authorizing and appropriations process.

We have time to do that. We have a strong authorizing committee. I sit on the appropriating committee, and we have an extremely strong appropriating committee. We can review the numbers quickly and analyze whether it is fair and appropriate, and I suspect 95, 98 percent of it will be approved. But the fact that we are going to approve it doesn't mean it shouldn't at least be reviewed. Basically, muting and undermining the legitimacy of the congressional role in funding is, undermining, in some degree, the commitment to the war effort itself. It is counterproductive to having popular support for the war effort.

I hope that when they send up this next supplemental that they not designate it as an emergency and that they ask that it go through the process, but tell us to do it in a quick way, don't spend a month doing this; do it in a week and a half, 2 weeks, and we can do that; otherwise, I believe we will continue on a path that is harmful not only to the relationship between the executive and the legislative branches, it is harmful to good governance and the good stewardship of tax dollars and it is, more importantly, more harmful to the war effort itself.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 1) to provide greater transparency in the legislative process.

Pending:

Reid amendment No. 3, in the nature of a substitute.

Reid amendment No. 4 (to amendment No. 3), to strengthen the gift and travel bans.

Vitter amendment No. 5 (to amendment No. 3), to modify the application of the Federal Election Campaign Act of 1971 to Indian tribes.

Vitter amendment No. 6 (to amendment No. 3), to prohibit authorized committees

and leadership PACs from employing the spouse or immediate family members of any candidate or Federal office holder connected to the committee.

Vitter amendment No. 7 (to amendment No. 3), to amend the Ethics in Government Act of 1978 to establish criminal penalties for knowingly and willfully falsifying or failing to file or report certain information required to be reported under that Act.

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

Mr. LIEBERMAN. Mr. President, I am privileged to be able to manage the bill for part of today. Senator FEINSTEIN and I—she is the chair of the Rules Committee, and I, in my capacity as chair of the Homeland Security and Governmental Affairs Committee, will be alternating on our side. I am honored to do that.

I would say that after a day, we are off to a good start in our consideration of S. 1, the bill before us. The majority and minority leaders, Senators REID and McCONNELL, laid down yesterday a bipartisan substitute amendment that improves what was already a strong bill, S. 1, and I know a number of other Senators have come to the floor to file or offer amendments. It is good to proceed in that way.

We have a bill before us which fortunately has strong bipartisan support, and it is certainly my hope, and I know the hope of managers on both sides, and the leaders, that we can move along with the consideration of these amendments so that we will complete this bill in the timeframe laid out by the majority leader, which is the end of next week. This will be not just auspicious but a meaningful, bipartisan way to begin this 110th Congress.

I wish to speak in strong support of the comprehensive substitute that was laid down and offered by the majority and minority leaders yesterday. I am pleased to join as a sponsor of that amendment. The underlying text of S. 1 is already a sweeping reform of ethics rules and lobbying regulations, and the substitute takes us even further in strengthening those reforms. I would like to focus on a few of the additional improvements made by the substitute.

The substitute will clarify and strengthen the provisions in the underlying bill that require, for the first time, lobbyists to report on campaign contributions and travel they arrange for Members of Congress—for the first time. We also will require lobbyists to disclose contributions to Presidential libraries and inaugural committees. This is an extension of one of the basic building blocks of this reform, which is disclosure, transparency, shining the sunshine on what is happening here so the public, the media, and Congress itself will be better informed and can take appropriate action. These disclosures will provide a fuller picture of the relationships between those who lobby and those who are lobbied in the Congress and in the executive branch.

The substitute also creates a new criminal penalty for violations of the