

better plan without any need for concern.

The Finance Committee's bipartisan work helps build on the bill sent to us by the House of Representatives and makes it much better—fair to seniors and disabled veterans—and, as important as that, more effective in stimulating the economy with the breaks it gives to businesses.

That is the bottom line. It will do the job. It will work. People say: Why do we need to go to conference? We have to go to conference anyway. The House-passed bill allows the benefits to go to undocumented people. I don't think Senators want to vote for that provision. A vote this afternoon is simply a vote to proceed to the House bill. We have to go to conference anyway because of that provision; that is, rebates for undocumented persons.

We have a chance to stimulate the economy and help more struggling Americans. I hope we can all work together, Democrats and Republicans—in fact all Senators—to build on the good work done by the House of Representatives by supporting this bipartisan Finance Committee legislation. It is good legislation.

This is it. People need not look further. If the package does not pass, that is the end of the line. That will be it. It will be a shame. We will have to look at something else after we dispose of this stimulus package to try to do something to stimulate the housing industry, give unemployment benefits, to do something about LIHEAP. It would be a shame that we would miss this opportunity. The Republicans should join with us. The bill has to go to conference anyway. Let the conferees determine, working with the President, what we should do to stimulate the economy. We believe ours is a Cadillac package. It is what the American people need. It is what the economy needs. It is fair. It is just. It is quick. The House bill is, as I said, a step in the right direction but a very small step.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### CHEMICAL DEMILITARIZATION

Mr. MCCONNELL. Mr. President, today Congress received the fiscal year 2009 budget request from President Bush. It is a budget that does not raise taxes and provides a framework for eliminating the deficit within 5 years. Both objectives are consistent with and critical to our long-term economic goals.

It is now up to Congress to fully and fairly consider this budget proposal and each appropriations bill.

I do not need to remind our colleagues we are also hard at work to pass an economic growth package. While considering the budget, we must

not undo the economic growth policies contained in that package by increasing the size of Government, when we should be increasing the size of the economy.

Turning to one particular item in the budget that is of great importance to me and my home State of Kentucky, I wish to speak briefly about the budget request for the disposal of chemical weapons at the Blue Grass Army Depot in Richmond, KY.

For years, I have led the fight in Congress to safely and efficiently dispose of the deadly chemical weapons at the Blue Grass Army Depot, and for years the Department of Defense bureaucracy has dragged its feet on this issue and refused to comply with Congress's direction that disposal of such weapons be given serious attention and the resources to get it done.

As a result, complete disposal of these deadly weapons has been pushed further and further into the future, even though the people of Richmond and Madison County, KY, have been living for too long already with over 500 tons of chemical weapons in their midst. This includes VX nerve agents, one of the deadliest nerve agents ever created.

You can understand the people of Madison County and, frankly, I have had enough. So I am pleased to report that after making my wishes clear to Defense Secretary Gates, I have convinced the Department to increase the fiscal year 2009 budget request amount to a level that will help enable the Blue Grass Army Depot to more safely and quickly dispose of these weapons.

I personally thank Secretary Gates for his involvement in this success. I have worked with and been frustrated by Defense Secretaries under both Republican and Democratic administrations. But Secretary Gates gets it and he took action. I thank him for that, and I know the people of Madison County do as well.

Before we intervened, DOD had initially set fiscal year 2009 funding for the Assembled Chemical Weapons Alternatives Program, or ACWA, at \$351 million. ACWA is the program that will dispose of these chemical weapons.

Now the ACWA budget has been increased to nearly \$398 million, thanks to Secretary Gates. This is the third consecutive year we have been able to persuade DOD to increase the ACWA budget request. By increasing the funding level, we can speed up the disposal.

In addition to adequate funding, legislation I authored and that was enacted into law now sets a deadline for DOD to complete work on disposal by 2017. That is right, it is now law that disposal must be completed in less than 10 years, by 2017.

This is a two-pronged approach to solving this problem and these two prongs complement each other. Together, increased funding for disposal and a deadline set into law are moving us closer to the disposal of these heinous weapons.

In short, when it comes to the chemical weapons stored at Blue Grass Army Depot, dollars plus a deadline equals disposal. That is the goal: the quick and safe disposal of these chemical weapons. The people of Kentucky deserve no less.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

#### THE PRESIDENT'S BUDGET

Mr. REID. Mr. President, it is true we have the President's budget, the eighth one, the eighth and last budget from this President. To think anyone has the audacity to suggest this deficit will be gone in 5 years following the President's plan is almost laughable, a man who has run this country from a \$7 trillion surplus over 10 years to now approaching \$12 trillion or \$13 trillion in debt.

The Presiding Officer knows as much about the military as anyone serving in Congress, having been a distinguished combat veteran in the Marine Corps and Secretary of the Navy. No one is more supportive of the military, than the Presiding Officer. I try to be also. The Defense budget I get from morning reports, without having seen the budget, but the press has reported the Defense budget will now be approaching \$700 billion this coming year. But there is not a single penny in this budget for the war in Iraq. That is in addition to this request. We are told that in less than 2 years, the cost of the war in Iraq will be \$1 trillion, borrowed money from China, Japan, Saudi Arabia, Mexico. And, of course, it has been long pronounced this budget of the President's will have cuts in Medicare.

The President had us over a barrel last year on the appropriations bills because we did not want another continuing resolution. We did not want another continuing resolution. But he does not have us over a barrel this year because either Senator CLINTON or Senator OBAMA will be the President in less than a year. If we have to deal with a CR next year, we will deal with it. We will finish that by the end of January. We will whip through that CR in a short time. We are not going to be held hostage to the unreasonableness of this President—cutting NIH, cutting the COPS Program. What is that? Law enforcement to bring down crime rates in our country as it has—the damage to the cities that has already taken place because of the priorities that are so misarranged in this budget that he suggests to us.

Education—I brought the Teacher of the Year here to watch the State of the Union Address. She is devastated by what the No Child Left Behind legislation has done, with the President not living up to what he said he would do in funding it.

I am glad the budget is here. It is part of the law. I look forward to working with our colleagues and hope we

can do a better job with our appropriations bills than last year. But I repeat, we are not going to be held hostage by the unreasonableness of the White House. I hope we can work together and get some bills passed. The appropriators want to do that. We have now, with the ethics and lobbying bill passed, transparency in everything we do.

I also express my appreciation to Senator WHITEHOUSE for being here to start work on the FISA bill.

I have said this before and I say it now to my friend who is the manager for the FISA bill for the Republicans, how much we appreciate his devotion to the intelligence matters of this country.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### FISA AMENDMENTS ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2248, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2248) to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

Pending:

Rockefeller/Bond amendment No. 3911, in the nature of a substitute.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, I thank my colleagues for agreeing on a way forward on this bill. This is a very important bill, the Foreign Intelligence Surveillance Act, the FISA Act, of 2008. It gives the intelligence community the tools it needs right now and over the next 6 years to protect the country.

The Protect America Act we passed in Congress and the President signed last August allowed the intelligence community to close critical intelligence gaps, but that legislation expires in less than 2 weeks. We cannot let those gaps reopen. We passed a short-term extension, and that extension will expire when we are preparing to go out on the President's Day recess. We cannot leave our country blind and deaf to threats that terrorists might bring.

We were delayed in December by filibuster, which is the right of all Senators to have extended discussions. And there are those who say we need more time to look at this measure because it is very important and it is very technical and it is controversial. But the Intelligence Committee spent over 9 months looking at FISA modernization. We held hearings, we reviewed the Terrorist Surveillance Program, we looked at the implementation of the Protect America Act, and after that, we came up with a solid bi-

partisan bill. That is something in which Chairman ROCKEFELLER and I take a great deal of pride because we accommodated many changes and improvements and we did improve on the existing FISA structure, as well as adding items the Protect America Act needed to have but did not have.

The intelligence community is waiting for us to act. We have a bill that is responsible and effective. It addresses the concerns about the Protect America Act, but most of all, it gives the intelligence operators the tools they need and ensures that our private partners will continue to assist the Government.

As I said, this bill came out of the Intelligence Committee on a 13-to-2 vote after months of studying the collection programs. Chairman ROCKEFELLER, whom I thank again, and I worked together to get an agreement that protects America's constitutional rights and the privacy rights of American citizens.

There was a lot of work with the intelligence community representatives and lawyers from the Department of Justice. The Intelligence Committee members and their staffs did an outstanding job coming up with a solution.

Two provisions added during the initial markup without input from the intelligence community needed to be changed. They are great objectives, but they had to be made workable. It was our pleasure to work with Chairman ROCKEFELLER, Senator WHITEHOUSE, and Senator WYDEN to come up with a solution to both these problems, and they are now in the substitute now pending.

The Director of National Intelligence, who is responsible for running our collection programs, said with these two problems fixed, he will support the bill. This is very important to the chairman and to me because we want to pass a bill that works and will become law. It would do no good to pass a bill that has people's good ideas in it or pass a bill that is good for politics but doesn't work for those who are charged with protecting us from the threats our country faces. So the support of this bill by the Director of National Intelligence in particular is critical. With these fixes, we will have a bill the President will sign.

The chairman and I have worked shoulder to shoulder on a bipartisan basis to pass this bill. We will have to take a very careful look at any amendments that are proposed because we don't want to jeopardize the ability of the intelligence community and their private partners to go forward. It is very technical. Each word matters. And we will do our best to point out whether amendments will work. There are several amendments pending that we think will improve the bill but will not bring a veto.

With that, Mr. President, I thank all the Members who have worked with us in close collaboration to get time

agreements, to get a list of acceptable amendments, and I am looking forward to moving ahead with this bill just as soon as we can. I thank my colleague from West Virginia and the other colleagues for working together on the Intelligence Committee bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, first let me express my appreciation to the distinguished vice chairman of the Senate Intelligence Committee for his very energetic dedication to moving this bill forward. We have not agreed on everything, but nobody can challenge his dedication to moving a bill and to making progress on this issue.

AMENDMENT NO. 3920 TO AMENDMENT NO. 3911

Mr. President, per the pending agreement, I call up amendment No. 3920, the Whitehouse amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. WHITEHOUSE], for himself, Mr. ROCKEFELLER, and Mr. LEAHY, proposes an amendment numbered 3920.

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

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

The amendment is as follows:

(Purpose: To provide procedures for compliance reviews)

On page 19, between lines 20 and 21, insert the following:

“(7) COMPLIANCE REVIEWS.—During the period that minimization procedures approved under paragraph (5)(A) are in effect, the Court may review and assess compliance with such procedures and shall have access to the assessments and reviews required by subsections (k)(1), (k)(2), and (k)(3) with respect to compliance with such procedures. In conducting a review under this paragraph, the Court may, to the extent necessary, require the Government to provide additional information regarding the acquisition, retention, or dissemination of information concerning United States persons during the course of an acquisition authorized under subsection (a). The Court may fashion remedies it determines necessary to enforce compliance.”

Mr. WHITEHOUSE. Mr. President, in this debate about revising FISA and cleaning up the damage done by the President's warrantless wiretapping program, the administration has talked at length about the importance of our foreign intelligence activities. It expends all its rhetorical energy on a topic where we all agree, but it has largely ignored the issue that has been central to our debate: On what terms will this administration spy on Americans?

I rise today in support of an amendment offered by myself; by the distinguished chairman of the Senate Intelligence Committee, Chairman ROCKEFELLER; the distinguished chairman of the Senate Judiciary Committee, Senator LEAHY; Senator SCHUMER of New