



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 149

WASHINGTON, TUESDAY, NOVEMBER 11, 2003

No. 163

## House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, November 12, 2003, at 2 p.m.

## Senate

TUESDAY, NOVEMBER 11, 2003

The Senate met at 10:46 a.m. and was called to order by the Honorable JOHN WARNER, a Senator from the State of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.  
God of spacious skies and amber waves of grain, we pause on this special day to thank You for America's vet-

erans. Thank You for these heroes and heroines who loved country more than self and liberty more than life. Thank You for their courage on the seas, in the air, on the land, and even under the sea. Lord, they gave their blood on foreign shores to preserve our heritage of freedom.

Make us worthy of their service and sacrifices. Give us wisdom as we work to perpetuate peace through goodwill and mutual understanding between na-

tions. May we remember those who carry the physical and emotional scars of battle so that the spirit of this day will be felt throughout the year. Help us to show our gratitude to their families, who persevered in spite of anxiety, fear, and grief. May we so labor to promote peace on Earth that the efforts of America's veterans shall not have been in vain. We pray this in the name of the God of peace. Amen.

### NOTICE

If the 108th Congress, 1st Session, adjourns sine die on or before November 21, 2003, a final issue of the Congressional Record for the 108th Congress, 1st Session, will be published on Monday, December 15, 2003, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-60 or S-410A of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Friday, December 12, 2003. The final issue will be dated Monday, December 15, 2003, and will be delivered on Tuesday, December 16, 2003.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

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By order of the Joint Committee on Printing.

ROBERT W. NEY, *Chairman.*

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S14379

## PLEDGE OF ALLEGIANCE

The Honorable JOHN WARNER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, November 11, 2003.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN WARNER, a Senator from the State of Virginia, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. WARNER thereupon assumed the Chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

## SCHEDULE

Mr. FRIST. Mr. President, this morning we will acknowledge and pay tribute to our veterans with a moment of silence beginning at 11 a.m. Following the moment of silence, we have a number of Members who would like to make statements regarding Veterans Day. Those tributes will continue until 12 p.m., and I invite Senators to come to the floor during this period. Also, we have a resolution honoring this country's veterans and we will consider that resolution during today's session.

At noon, it is my expectation to begin consideration of the Syria accountability bill. That bill will be considered under the 90-minute debate limitation and, therefore, Members can expect a vote on passage following today's policy luncheon.

The Senate will recess today from 12:30 until 2:15 to accommodate the Republican Party luncheon. The Senate will recess tomorrow for that same period for the Democratic Party luncheon to meet.

Today, I would also hope to consider the Defense authorization conference report. Chairman WARNER will be here for his statement, and it is my hope we could reach a short time agreement to finish that legislation on this day. The Military Construction appropriations conference report is available and should be addressed as well.

Having said that, we will have roll-call votes today.

## HONORING OUR VETERANS

Mr. FRIST. Mr. President, today, our forces for freedom encircle the globe.

Our military men and women will observe Veterans Day in almost all of the world's time zones. In the skies, on the ground, and under the water, they will pause to remember.

In a few moments, we, too, will pause to remember.

As Senators, we have had the opportunity to work alongside so many who served our Nation so ably, and so nobly, during our country's struggles on behalf of freedom—heroes such as Strom Thurmond and Bob Dole, heroes such as JOHN MCCAIN and Bob Kerrey, heroes such as Max Cleland and CHUCK HAGEL, heroes such as DAN INOUE. We have seen how they and others have sacrificed and suffered for a cause greater than themselves. Their nobility and grace, in war and in peace, stand as examples to all in our new century and in the new conflict we fight today.

We work in an institution that values unlimited speech—sometimes speech over everything else. But in my years of working alongside these heroes, I have discovered a lesson that runs true for all of them. To me it has been in these silences, the times they have not joined in with the majority of their colleagues, that they have demonstrated their strength.

Our Nation is a cacophony of noise, a symphony of sound, from that factory floor to the market floor, from Main Street to Wall Street. It is the so-called roar of democracy that makes us unique as a nation and as a country. But this morning we are called to silence. Why?

In our Nation's battles throughout her last two centuries, many have paid the ultimate sacrifice for freedom and liberty. This moment of silence we will shortly observe is the silence of those voices stilled forever, of sons and daughters no longer returning home, of husbands and wives no longer there for each other, of mothers and fathers no longer there for their children day and night.

In the pain of these sacrifices, our warriors have built our country and saved our world. They have stood as freedom's sentinel and as liberty's shield. They have fought the fights to which history has called us and won the victories that faith has dared us.

Our Nation is the beacon of liberty for so many people around the world, and it is the valor and dedication of the many heroes, sung and unsung, throughout the Nation's past 200 years—those who sleep forevermore—who have made it so. We honor them today not with noise but with silence.

As the hour of 11 a.m. approaches, I ask that we do observe this moment of silence.

I come from the great State of Tennessee. We have our share of hallowed war dead. We have our share of heroes, including perhaps one of the most famous Medal of Honor winners, Sergeant York. In a chain of events still astonishing today, he led a small squad of just 7 men in charging a machine gun nest mercilessly attacking his po-

sition, ultimately capturing 132 prisoners. An observer termed what he did "a call to courage."

I encourage every American today to also take a moment of silence and look for those who have answered that call to courage. All throughout our country, every day our veterans merit our support, our respect, our thanks for advancing the cause of liberty here at home and indeed around the world. They took what was granted to them by their fathers and, with their service and with their labors, they passed it on to their children, bringing America still free into a new century.

We pass legislation on their behalf to express the thanks—our thanks—of this grateful Nation. Today's silence is for them as well.

Now our country fights a new enemy, faceless and hateful. It fights in new ways, bringing new terrors and threats and intimidations to our fellow Americans. That is the final lesson our moment of silence teaches us this morning.

Together let's remember the strength of silence and, as we resume our labors here today, just as our Armed Forces work today around the world, let us move ahead with a little less noise and a little more fortitude.

The ACTING PRESIDENT pro tempore. The distinguished minority leader.

Mr. DASCHLE. Mr. President, each year, America honors its veterans on this day with solemn pride.

But this year, Veterans Day arrives with uncommon poignancy. As we show our gratitude to our veterans here at home, a new generation of soldiers is thousands of miles from their loved ones, facing danger on our behalf.

There is an immediacy to this year's Veterans Day. The risks our soldiers are facing today have not yet been softened by memory. Without the filter of history, we see clearly the dangers they face every day when we learn of yet another attack on American soldiers, yet another death, yet another family that must go on without a loved one. At the same time, we see clearly the good that American service men and women can perform when we witness the hopeful faces of Iraqis eager for a better, more peaceful life.

Within the service of today's soldiers, we may see a clear reflection of the service of our veterans. Just as our soldiers today, our veterans, too, left families behind. They, too, woke up to uncertain dangers. They, too, saw friends and comrades injured or killed. Yet, knowing both their risks and their obligations, they, too, performed their duty each day.

Forty years ago, President Kennedy noted that no nation "in the history of the world has buried its soldiers farther from its native soil than we Americans—or closer to the towns in which they grew up."

At our proudest moments, the American people have sent our sons and daughters across the globe to fight for

freedom. And once the fight was done, we have welcomed them home with honor and gratitude.

Today, too, the honor of defending those who cannot defend themselves is carried forward by young American soldiers. And their families and friends wait anxiously for their safe return.

South Dakota is proud of the role its sons and daughters have played in Operation Iraqi Freedom. At the start of the war, it was a B-1 bomber crew from Ellsworth Air Force Base's 28th Bomb Wing that hit that bunker in Baghdad where it was thought the Iraqi leadership might have been hiding. All four members of the crew were awarded the Distinguished Flying Cross.

Staff Sergeant Randy Meyer, a Marine from Big Stone City, was part of a unit that discovered 22 American prisoners of war along a highway near Baghdad.

Sergeant Meyer noticed that Specialist Shoshanna Johnson was too hurt to walk—she had been shot in both ankles—so he picked her up and carried her to safety.

And South Dakota's National Guard and Reserve units have been on the front lines, both during the active fighting and today as we work to stabilize Iraq and rebuild the nation of Iraq.

Their service on this day is doubled. Because in addition to advancing democracy and security, their brave acts make us still more aware of, and still more grateful for, the brave acts of our veterans.

But alongside our pride, Veterans Day comes with a challenge. Each year we should ask ourselves, have we done enough to honor the sacrifices of our soldiers and veterans?

This year, if we are honest with ourselves, the answer must be no.

Mr. President, in keeping with our agreement to stop for a moment of silence at 11 o'clock, I will do so and return to my remarks as soon as the moment of silence has been completed.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will observe a moment of silence.

(Moment of Silence.)

Mr. DASCHLE. Mr. President, I am hard pressed to recall a time when the gap between the demands we place on our soldiers and the thanks we offer them once they return home has been wider. It is bitterly ironic that on this Veterans Day, while soldiers are facing danger far from home, the gap is still growing.

Today, more than 500,000 American soldiers are stationed in 137 different countries around the world. More than 300,000 are engaged in active combat or peacekeeping missions in seven different countries, including more than 140,000 in Iraq and Afghanistan.

More than 400 American soldiers have been killed in Iraq and Afghanistan. More than 2,400 have been wounded.

Meanwhile, our military is stretched so thin we cannot tell many of our sol-

diers or their families when they might be coming home. And despite the added strain and the ever more complicated mission, we are failing to provide for our soldiers, our veterans, and their families.

Veterans of Operation Iraqi Freedom will join 250,000 veterans who must wait 6 months just to see a V.A. hospital doctor.

This wait will be lengthened by the administration's closing of seven Veterans Hospitals and a budget that under-funds veterans health by \$1.8 billion.

In addition, the administration has opposed expanding health care benefits to Guard Members and Reservists and their families. It proposed cutting the pay to troops facing imminent danger. Schools for the children of military families are being threatened with cuts. And the Defense Department is closing 19 commissaries and considering whether to close 19 more.

In a recent article in "The Army Times," a representative from the National Military Family Association was quoted asking a question familiar to many of us today. "How can leadership be talking about cutting back on quality-of-life benefits right now when the force and everyone supporting the force is at such a high stress level?"

One colonel quoted in the article expressed it more simply: "Betrayal," he said to the reporter. "Write that down and put it in your report."

In signing the GI Bill of Rights in 1944, President Roosevelt noted that "the members of the Armed Forces have been compelled to make greater . . . sacrifice than the rest of us, and they are entitled to definite action to help take care of their special problems."

Each year, we are in danger of falling further behind in our obligation to our veterans. Recently, "definite action" has given way to little more than indefinite praise.

Veterans deserve better.

Some within this administration seem to believe that our responsibility to our soldiers ends when they come home. We disagree. These men and women risked their lives to defend our own. They stood up for us; now we must stand up for them, not with words but with deeds.

Mr. President, not long ago, a teacher from a small town in the Black Hills of South Dakota gave her students an assignment. She asked them to tell the stories of each of the 2,200 South Dakotans who gave their lives in the fight for democracy during World War II.

As word spread of the children's work, the teacher was asked to bring the program to the entire State.

In doing their research, South Dakota's children discovered some amazing things. They found that Native American—treated within their own country as second-class citizens—rushed to enlist in record numbers. They found young men who had failed their physicals, but used a cousin's or a sib-

ling's results to sneak into the service. They found youngest sons—and only sons—who could easily have gotten deferments, but instead demanded to serve.

They also found official military records that listed the wrong home county for an extraordinary number of the South Dakotans killed in the war. At first, the students were puzzled. After a while, though, they discovered the reason: So many counties had over-filled their enrollment caps, that young men would claim to be from another county, just to be allowed to serve their Nation.

All told, 68,000 South Dakotans enrolled in the Armed Services in WWII. My father was one of them. Two thousand two hundred of them never came home—a greater percentage of World War II deaths than any other State.

Those who did make it home passed that same sense of loyalty and duty onto their sons and daughters. During the Vietnam war, 78 percent of South Dakota's eligible young men chose to serve.

That was, by far, the highest percentage in the Nation. I was one of them. I was lucky. Two hundred South Dakotans who went to Vietnam didn't make it back.

This year, too, South Dakotans have proven eager to serve. South Dakota has one of the highest proportions of our citizens serving in active duty in Iraq of any State in the country.

South Dakota knows the true meaning of patriotism. We have sent out sons and daughters off to war, welcomed those who returned, and buried those that did not.

We volunteer without boast or complaint. The rewards of citizenship are great, therefore, the demands are great.

Having sent so many young people off to war, South Dakotans feel the tight bond that develops between soldiers and the communities they defend. And we know that the debt we owe to veterans cannot be repaid on this day alone.

We enjoy our freedoms every day, and every day we must remember those by whose courage they were purchased.

We must express our gratitude in both word and deed and commit ourselves to their care, as they committed themselves to our protection.

Today, we witness the courage of our soldiers serving throughout the world and remember the courage of veterans throughout our history. Never once did they fall short of our expectations of them. Today, we must recommit ourselves to making sure we do not fall short of their expectations of us.

Mr. President, I ask unanimous consent that my remarks be taken from my leader time, not from the morning business time allocated for this tribute this morning.

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

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ENZI). Under the previous order, leadership time is reserved.

## MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business until the hour of 12 p.m., with the time equally divided between the Senator from Texas or her designee, and the Democratic leader or his designee.

The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I yield 7 minutes to the senior Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

## VETERANS DAY

Mr. STEVENS. Mr. President, it has been over 50 years since my good friends, Senator INOUE, Senator HOLLINGS, Senator WARNER, Senator LAUTENBERG, Senator AKAKA, and I returned home from World War II. When I joined the Senate in 1968, approximately half of the Members of the Senate were World War II veterans. While there are several Senators here who have served in Korea, Vietnam, and in later engagements, there are a few of us still around who lived through World War II. We are proud of a tradition of over 48 million Americans who have served in our Armed Forces since 1776.

Whenever our Nation has needed warriors to defend our Nation, young men and women in uniform have stepped forward, willing to bear that burden. This day, Veterans Day, is a reminder to us of their courage, bravery, and sacrifice.

These days, our thoughts are never far from a battlefield. New generations have answered the call to service, and as we meet today, they are defending us in some of the most dangerous places in the world, where they face determined enemies and terrorists. I join all here today in thanking each of them for their service and thank their families for their sacrifice.

I had the honor to serve in the Army Air Corps with a squadron in China in World War II. Our squadron motto was: We do the impossible immediately, miracles take slightly longer.

The history of our Nation's Armed Forces is one of impossible challenges and formidable enemies. But our men and women in uniform have met and overcome them on battlefields, and in the air, and on the sea and, as our Chaplain reminded us, under the sea, across the globe.

Secretary of State Colin Powell recently spoke of the tradition of service and said:

We have gone forth from our shores repeatedly over the last hundred years . . . and put

wonderful young men and women at risk, many of whom have lost their lives, and we have asked for nothing except enough ground to bury them in.

It is right and proper for the Senate to remember the young men and women who have served our great Nation in uniform and those who did not return because they made the ultimate sacrifice.

Veterans share a common bond. We are truly comrades in the deepest sense of the word, and I salute each one of them.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, as the country marks the Veterans Day holiday, I wish to take a moment to express my thanks to the people of Wisconsin and to our Nation's veterans and their families.

I urge my colleagues and all Americans to take a moment today to reflect upon the meaning of this day and to remember those who have served and sacrificed to protect our country and the freedoms we enjoy as Americans.

Webster's Dictionary defines a veteran as "one with a long record of service in a particular activity or capacity" or "one who has been in the armed forces." But we can also define a veteran as a grandfather or a grandmother, a father or a mother, a brother or a sister, a son or a daughter, or a friend. Veterans live in all of our communities, and their contributions have touched all of our lives.

November 11 is a date with special significance in our history. On that day in 1918, at the 11th hour of the 11th day of the 11th month, World War I ended. In 1926, a joint resolution of Congress called on the President to issue a proclamation to encourage all Americans to mark this day by displaying the U.S. flag and by observing the day with appropriate ceremonies.

In 1938, Armistice Day was designated as a legal holiday "to be dedicated to the cause of world peace" by an act of Congress. This annual recognition of the contributions and sacrifices of our Nation's veterans of World War I was renamed Veterans Day in 1954 so that we might also recognize the service and sacrifice of those who had fought in World War II and the veterans of all of America's other wars.

Our Nation's veterans and their families have given selflessly to the cause of protecting our freedom. Too many have given the ultimate sacrifice for their country on the battlefields of the Revolutionary War that gave birth to the United States, to the Civil War which sought to secure for all Americans the freedoms envisioned by the Founding Fathers, to the global fight against nazism and fascism in World War II.

In the last century, Americans fought and died in two World Wars and in conflicts in Korea, Vietnam, and the Persian Gulf. They also participated in peacekeeping missions around the

globe, some of which are still ongoing. Today our men and women in uniform are waging a fight against terrorism and, at the same time, are participating in ongoing military operations in Iraq.

As we commemorate Veterans Day, 2003, we should reflect on the sacrifices—past, present, and future—that are made by our men and women in uniform and their families. We should also resolve to do more for our veterans to ensure they have a decent standard of living and adequate health care.

This is especially important as we welcome home a new generation of veterans who are serving in Iraq and in the fight against terrorism. Today's soldiers, sailors, airmen, and marines are tomorrow's veterans. These men and women selflessly put their lives on the line as the countless military personnel before them whom we honor today. We must ensure that their service and sacrifice, which is much lauded during times of conflict, is not forgotten once the battles have ended and our troops come home.

For that reason, I am committed to ensuring that the Department of Veterans Affairs makes every effort to educate our veterans about benefits for which they may be eligible through the VA.

Our veterans and their families have made great personal sacrifices to protect our freedoms. Making sure our veterans know about the benefits they have earned is an important first step in starting to repay this debt. That is why I am fighting to overturn a VA policy that prevents the agency from reaching out to veterans who may be eligible for health care benefits, and that is why I have introduced legislation to improve the VA's outreach to veterans.

In addition, I continue to hear from many Wisconsin veterans about the need to improve claims processing at the VA. These veterans are justifiably angry and frustrated about the amount of time it takes for the Veterans' Administration to process their claims. In some instances, veterans are waiting well over a year. Telling the men and women who served our country in the Armed Forces that they "just have to wait" is wrong and unacceptable.

Last month, the VA issued a press release declaring "partial victory" in its efforts to reduce the number of pending claims. The release noted that the VA has reduced its claims backlog from 432,000 to 253,000 over the last 2 years. I am pleased the VA has made claims processing a priority, but there is much more work to be done. I urge the Secretary to continue this effort to reduce the claims backlog. The more than a quarter of a million veterans who are still waiting to have their claims processed, coupled with the thousands of new veterans returning from the battlefield of Iraq and Afghanistan, deserve the concerted effort of the VA and the Pentagon to process

claims quickly and to educate new veterans about their benefits in an effective and clear manner that may help to prevent the filing of additional claims in the future.

I am looking forward to continuing to meet with veterans and their families around Wisconsin to hear directly from them what services they need and what gaps remain in the VA system.

So on Veterans Day, and throughout the year, let us continue to honor America's brave veterans and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I yield up to 7 minutes to the Senator from Virginia, Mr. WARNER.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I rise to join my colleagues on this magnificent day which we set aside for the veterans of all of our wars.

As I was presiding at the time we took a moment of silence, I reflected back to 1918 when the guns fell silent at 11 o'clock across the trenches in Europe. There was a young doctor there who had been wounded, who had been decorated, but he was still at his post in the trenches when that hour arrived. That was my father.

I read a poem in his honor and in honor of all veterans which reflects my understanding and my deep belief and gratitude to veterans. It is called "In Flanders Fields":

In Flanders fields the poppies blow  
Between the crosses, row on row,  
That mark our place; and in the sky  
The larks, still bravely singing, fly  
Scarce heard amid the guns below.

We are the Dead. Short days ago  
We lived, felt dawn, saw sunset glow,  
Loved and were loved, and now we lie  
In Flanders fields.

Take up our quarrel with the foe:  
To you from failing hands we throw  
The torch; be yours to hold it high.  
If ye break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders fields.

I wear one of those poppies on this Veterans Day. It is issued by the veterans organizations all across America in reverence to those who have gone before us to make it possible today to exercise free speech.

My distinguished colleague, Senator STEVENS, my friend of these 25 years in the Senate, just mentioned that there are five of us who are here who served in World War II. My record pales against his record, Senator HOLLINGS, Senator INOUE, and others. But I was privileged as a very young 17-year-old to volunteer and take up my responsibilities, as did all in my generation in those days. Yet the heavy lifting, the heavy work, the heavy losses had been done that went before us, and in 1945, when I was simply in a training command, the war ended.

I say that only because had it not been for what the U.S. military has done for me in these 58 years that I

have been privileged to be associated, I would not be here in the Senate. That is why I labor with others, primarily those on the Armed Services Committee, to do what we can for today's veterans and, most importantly, for those who are still in uniform and those who will follow in uniform in the generations to come, together with their families.

I speak in gratitude from my heart to all the veterans and, indeed, for what the military did for this humble soul to make it possible through the GI bill twice. I received it once for World War II and once for brief service again in Korea. Again, my heart is filled with gratitude, and it is such a magnificent day to rise and reflect.

Back in World War II, I remember on our block, when our neighbors were lost in battle, a gold star went on their door to remind all of the sacrifices of that family. And on the other doors were a little decal which said: We proudly have our son in the Army, the Navy, the Air Corps, the Marines, the Coast Guard.

Those were days when there was absolute sacrifice all across the Nation. Today, this Nation again is united. We stand strong behind our men and women of the Armed Forces, as it should be. So by the grace of God, by the sacrifices of all who have gone before us, we stand humbly today and express our gratitude to them and their families.

I ask unanimous consent that a list of United States service personnel casualties be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### U.S. SERVICE PERSONNEL CASUALTIES

Contingency	Total casualties (KIA/WIA)	Killed in action (KIA)	Wounded in action (WIA)
World War I .....	321,000	115,000	206,000
World War II .....	1,077,245	405,399	671,846
Korea .....	139,852	36,568	103,284
Vietnam .....	211,506	58,203	153,303
Afghanistan .....	252	31	221
Iraq .....	2,336	398	1,938

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I yield up to 4 minutes to the Senator from Wyoming, Mr. THOMAS.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, we all rise to recognize this day. As we think about it, I suspect there is no other day of recognition that has as much bearing on the freedoms we enjoy as this day of recognizing veterans. It is so important that we take time to recognize and honor those men and women who have worn this country's uniform.

Certainly, as we think about it today, our thoughts are primarily focused on those men and women now serving overseas in Iraq, Afghanistan, and other places. Of course, historically we have many things to think about: Those who have given so much so we can continue to live in freedom.

I suppose if we have a weakness in terms of our recognition, it is identifying what others have done for us to be able to have the freedoms we enjoy and have done for so many years. I think it is appropriate we set this day aside not only to recognize those who have done so much but, frankly, to ensure young people understand the sacrifices that have been made. We want people who were not around at all in World War II, Korea, or even Vietnam to understand what has happened.

Dwight Eisenhower once said that:

War demands real toughness of fiber, not only in the soldiers who must endure, but in the homes that must sacrifice their best.

That is true. All families sacrifice as well. This morning, we visited a VA hospital in DC. We visited with a number of veterans who were being treated in that hospital, some from World War II who had done so much.

Today we honor those who made these sacrifices, in many cases the ultimate sacrifice in defense of liberty, justice, and democracy. We are engaged today in the struggle which will test our national resolve, and I hope today helps us to understand the importance of that resolve. A new generation of Americans has answered the call and is defending our country.

Today, as we commemorate and honor those who have gone before, we must remember the brave souls currently serving in harm's way. We must renew our commitment to the ideals for which so many have fought and died. We must never forget freedom has a very high price indeed. That price has been paid by our Nation's veterans and their families.

I was impressed when I think it was the commandant of the Marine Corps who said there is a direct connection between the land of the free and the home of the brave. That is true.

Today we say thank you on behalf of a very grateful Nation. We are extremely proud of all the veterans have done.

I ask unanimous consent the poem "A Cowboy Defends Us" be printed in the RECORD.

There being no objections, the material was ordered to be printed in the RECORD, as follows:

#### A COWBOY DEFENDS US

(By Tina Willis, Apr. 9, 2003)

I wonder what it means to you  
When you see the flutter of red, white, and blue  
I think of American history and days that are gone  
I think of our troops in Iraq and Iran  
I think of the folks that settled this west  
Who've raised sons and daughters and offered their best  
These children traded a tractor for a humvee's rough ride  
And their parents now wait with no sleep but much pride  
I think of the cowboy called to duty today  
Throwing his pony a last flake of hay  
Before boarding a bus in this dawn's early light  
As he joins the forces to fight the good fight  
I think of the bunkhouse with one empty bed

There's a tent in the sand where he'll now  
lay his head  
As I savor my freedom and pray for our  
troops  
I think of the cowboys that now wear infan-  
try boots  
Their instincts and courage were learned on  
the range  
They're taking care of the homestead—with  
a scenery change  
Our nation is safer and stronger today  
Because some cowboy defends us—time zones  
away  
And I wonder what it means to you  
When you see the flutter of red, white, and  
blue. . . .

Mr. THOMAS. I yield the floor.

The PRESIDING OFFICER. The Sen-  
ator from Texas.

Mrs. HUTCHISON. I yield up to 4  
minutes to the senior Senator from  
Missouri, Mr. BOND.

The PRESIDING OFFICER. The Sen-  
ator from Missouri.

Mr. BOND. Mr. President, I thank my  
colleague from Texas and the others  
who have spoken.

It is a great honor and privilege to be  
on the Senate floor on this Veterans  
Day to acknowledge the sacrifices of  
America's veterans and the priceless  
service our veterans have rendered to a  
grateful Nation.

Earlier this morning Senator THOM-  
AS, Senator INHOFE, and I visited the  
Washington VA hospital to say thank  
you. Previously, I had been to Walter  
Reed and Bethesda National Naval  
Medical Center, as I know many Mem-  
bers have, to say thanks also to those  
returning from the current war. In all  
of these visits and in everything we do,  
we should express our thankful appre-  
ciation to America's veterans, particu-  
larly while we find ourselves embroiled  
in a war against those seeking to de-  
stroy all America stands for, what we  
hold most dear, our freedom.

It is the soldier, sailor, airman, and  
the marine to whom we have turned for  
protection from terrorists and the  
failed nation states that support them.  
Our troops are performing in an exem-  
plary manner, taking the fight to those  
who would harm us on enemy territory  
and on our terms. The events of Sep-  
tember 11 and the military operations  
that have ensued since then have  
brought a renewed understanding and  
respect for our Nation's military and  
our veterans.

In response to the horrendous acts  
carried out on 9/11, our men and women  
in uniform have taken action, as our  
veterans have done countless times  
throughout history.

We are fighting the war on terrorism  
on many fronts, using all the tools at  
our disposal. We will win this conflict  
through the patient accumulation of  
successes, by meeting a series of chal-  
lenges with determination, with will  
and with purpose. This campaign is a  
marathon, not a sprint. We must be  
mindful to think not only in the near  
term but to look ahead 5, 10, 15 years  
and to take this opportunity to shape  
our future world. We must find a way  
to help contribute to the peace and sta-

bility of what is clearly still a dan-  
gerous and unpredictable world.

After 9/11, President Bush said:

In the months ahead, our patience will be  
one of our strengths . . . patience and under-  
standing that it will take time to achieve  
our goals; patience in all the sacrifices that  
may come.

Today, sacrifices are being made by  
our troops who defend us far from  
home, and by their proud yet worried  
families. The sacrifices they make are  
the same sacrifices made by those who  
served before them. We ask an awful  
lot of those who wear the uniform. We  
ask them to leave their loved ones, to  
travel great distances, to risk injury,  
even risk death. They are dedicated,  
they are honorable, and they represent  
the very best of our country. We are in-  
deed grateful for these countless sacri-  
fices. We can never repay our debt to  
those who serve our Nation, but we can  
ensure they know they will never be  
forgotten. Today, we have some very  
real reminders of the cost of freedom.  
It is an absolute that we would not  
enjoy the freedoms we have today were  
it not for the willingness of our men  
and women to serve each of us and our  
country by committing to fight on our  
behalf in the armed services.

We are fighting every day on the  
many fronts around the world and  
those of us in this body work to pro-  
vide not only the resources we need to  
ensure that our men and women in the  
field are the best trained, best  
equipped, best prepared, and the best  
protected, but we also work to ensure  
we meet the commitments made to our  
veterans who have served in the past.

As former Secretary of Defense Wil-  
liam Cohen once said, we are "unwill-  
ing to live in a world in which evil tri-  
umphs. And as a result, the flag of free-  
dom flies not only over America, but  
over those countries whose people had  
to yield to the terror of tyranny and  
under the heel of boots of dictators." Our  
veterans have kept the flame of  
freedom alive, and they are a true re-  
flection of the American spirit.

There are many accolades for vet-  
erans, but the one I like best is from  
Father Dennis Edward O'Brien's "What  
Is A Vet?"

He is an ordinary yet extraordinary human  
being, a person who offered some of his life's  
most vital years in the service of his country  
and who sacrificed his ambitions so others  
would not have to sacrifice theirs. . . .

He is a soldier and savior and a sword  
against the darkness, and his is nothing  
more than the finest, greatest testimony on  
behalf of the finest, greatest nation ever  
known.

So remember, each time you see someone  
who served our country, just lean over and  
say thank you. That is all most people need,  
and in most cases will mean more than any  
medals they could have been awarded or  
were awarded.

President Bush said it best when he  
described the will of our Nation by say-  
ing:

We will not waiver; we will not tire; we  
will not falter; and we will not fail. Peace  
and freedom will prevail.

That peace and freedom will prevail  
because of the commitment of those

who serve in uniform. America's vet-  
erans are the rock on which we have  
defended America's shores and are the  
reason our President can make such  
promises.

May God bless our veterans for their  
service, and may He continue to bless  
America.

The PRESIDING OFFICER. The Sen-  
ator from Texas.

Mrs. HUTCHISON. I yield up to 3  
minutes to the Senator from Idaho, Mr.  
CRAIG.

The PRESIDING OFFICER. The Sen-  
ator from Idaho.

Mr. CRAIG. Mr. President, let me  
thank the Senator from Texas for tak-  
ing out this special order this morning.

I join with all Idahoans and all Amer-  
icans to pause during Veterans Day to  
honor the service of all our American  
soldiers. It is a day set apart to cele-  
brate peace and freedom through cere-  
monies of thanksgiving and prayer. It  
is a day dedicated to the men and  
women whose great sacrifices made it  
possible that we might pause to recog-  
nize them, to pray and to give thanks.  
Sadly, however, as battles fade, so do  
the memories of our soldiers, and what  
was once a fervent memory becomes  
but a passing one of only photographs  
and pictures of men and women who  
served their country.

But this is beginning to change.

As our Nation reaches out to free op-  
pressed people around the world, a new  
generation of American soldiers is join-  
ing the honored body of U.S. veterans.  
Men and women who fought and con-  
tinue to fight in Iraq are bringing fresh  
faces and new experiences to the legacy  
of those who have gone before. Troops  
stationed in Afghanistan work to  
maintain the standard of freedom oth-  
ers obtained for us in the past. These  
soldiers are expanding the image of  
American veterans as they stand for  
liberty and redefine the world.

Like the soldiers before them, to-  
day's members of the armed services  
are risking everything to ensure the  
freedom and happiness of their fellow  
Americans. On a daily basis, they lay  
their lives on the line to face an unsure  
and dangerous future. Some of them  
pay the ultimate cost and remind us all  
that freedom is not free.

Exactly who are the new veterans?  
They are just like you. They are fa-  
thers and mothers whose children anx-  
iously await their return. They are  
sons and daughters whose parents  
proudly boast to their neighbors. They  
are students, graduates, neighbors, and  
friends. They are people in our State,  
our hearts, and our homes.

For many people, this newest fight  
for liberty is bringing home the reality  
of war. A veteran is no longer an unfa-  
miliar face in an old black and white  
photograph. The price of freedom is no  
longer a thing of the past—it is our  
present and our future. With a new  
generation of young soldiers fighting  
for our Nation, we are forcefully re-  
minded of the sacrifices previous vet-  
erans have paid for our happiness.

In the nearly 80 years since Congress first marked November 11th as a day to recognize and honor veterans, the image of the American veteran has been changing. Time has gradually brought a seasoned maturity of age to the once youthful faces of American soldiers. Sons have turned into fathers and fathers into grandfathers as each generation replaced the last.

Following the terrible attacks on our homeland two years ago, President George W. Bush declared:

Americans should always honor our veterans. At this moment, we especially need the example of their character. And we need a new generation to set examples of its own, examples in service and sacrifice and courage.

Today we see the fulfillment of this challenge. We see a rising generation of new veterans fighting for the American people.

To the veterans of our past and present, we thank you. We honor your service, commend your example, and remember your sacrifice. While some of us may never fully understand the significance of your labor, we all feel your impact on our Nation and our lives.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I yield up to 4 minutes to the Senator from New Mexico, Mr. DOMENICI.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, first, I thank the distinguished Senator from Texas for yielding me a few moments. Obviously, this is a time when it is very easy to talk about our veterans. But I thought I might just take about half of my time to tell the Senate a little story about my father.

My father came to the United States in 1908 as a 12-year-old immigrant from Italy. I don't think many of you know that in the First World War, immigrants, noncitizens, were drafted. My father was in little Albuquerque in business, 27 years old, couldn't write English, couldn't speak English too well, and he got a draft notice. Sure enough, 3 months later he went off to war, the First World War.

Another thing that is most interesting is that Armistice Day was this day, November 11; but it was also my dad's birthday. So he was a young American soldier, unable to speak very much English. He was sufficiently uncertain of his language that when he was up for promotion he didn't want to be promoted because he was afraid he couldn't drill the soldiers; he would sound funny because he had a big accent. Nonetheless, he did move up and whatever he was entitled to he got.

He remembered vividly November 11, Armistice Day—and one man in particular. I think all our veterans have a memory of some leader. His memory was of his captain, the captain of his Corps of Engineers which was building pontoon bridges and the like. The reason he remembered him was because this man told his men: Armistice is in

the air. We are going to have peace. I don't want any of you dying while we are about to have peace. So he shepherded all of them and put them under bridges in the Argonne Forest, saying: Hide for 24 hours because I sense that there will be no war in 24 hours and I don't want you dying.

Sure enough, within 24 hours the war was over. My father used to write to this captain, who lived in Illinois, and thank him for taking good care of him in the midst of that war, in the Argonne Forest, as a non-American who had become an American citizen by getting drafted and serving. Just as all our other veterans, he was very proud.

Today we have so many millions of American men and women who, one way or another, were like my father. They went off to serve their country. They have had times of great fear. They have had times of great concern. They have had times when there was heroism all around them.

I close today by saying something to all of them. In all of our wars—I know a little about the First World War because of my father, as I told you—but from all of the wars, I thank them all on behalf of the people of my State for what they have done to preserve the greatness of this country and the concept of freedom and liberty.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I yield up to 1 minute to the Senator from Mississippi, Mr. LOTT.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. I thank the Senator from Texas for coordinating the opportunity today for us to honor our veterans.

"Greater love hath no man than this, that he lay down his life for his friends," or in this case his country.

This quotation embodies my sentiment on this Veteran's Day, as we honor those men and women who have laid down their lives for our great country, and those who stand ready in her defense.

I stand today to render my sharpest salute to the selfless, brave professionals who epitomize the most noble of citizens.

How can we express our gratitude and overflowing pride for our service men and women who have paid the ultimate price for their country, and those friends and family members who have endured the loss of their loved ones?

How can we ever truly appreciate the comfort and safety that the soldier, airman, or seaman affords us through his or her daily dedication to duty?

Perhaps there are lessons to be learned from the strong, silent, tall soldier whose steely eyes well up with tears at the sounding of our National Anthem.

Perhaps we could stand to learn some things from the weathered, silver haired, proud veteran who stands taller and breathes deeply as he hears another painful round of Taps.

Today we all stand in solemn remembrance of those Americans who gave

their lives so that others may be free. Today I would like to remind everyone that those lives lost were not in vain. Because of these individual sacrifices we are able today to remain the greatest free nation in the world.

I would like to mention my personal pride for the men and women from Mississippi who so bravely currently serve and have served their nation in defense.

During the Vietnam War, 637 Mississippians gave their lives. In the Korean Conflict, from 1950 to 1957, 412 of our statesmen made the ultimate sacrifice.

Since the horrific day that will forever be remembered, September 11, 2001, Mississippi has lost nine soldiers during Operations Enduring Freedom and Iraqi Freedom.

More than 3000 of Mississippi's sons and daughters have responded to this Nations latest call for arms in the global war on terrorism, and operations in Afghanistan in Iraq.

Unlike previous wars, the veterans of these latest operations will probably not have battle names to remember like Leyte Gulf or Vicksburg.

As the President has said, the global war on terror is a different kind of war, where some operations would be visible and others would not be.

In this global war, our troops are supporting freedom and democracy around the globe, and fighting terrorism in the homelands of the terrorists and those who support them.

The war on terrorism will be a long war, and it will call for the endurance and perseverance of every American. In the end, there probably won't be a truce or surrender document signed aboard a great battleship. What there will be is stability, peace, and representative government in places where terrorism used to breed—where dictators no longer use poison gas on their own people, or have mass executions.

And on this Veterans Day we should remember all veterans, including those who continue to serve in this different kind of war.

And it is most appropriate to honor and salute those Mississippians who have lost their lives in Iraq and Afghanistan. They are: Kenneth Bradley, Army Staff Sergeant of Jackson, MS; Henry L. Brown, Army Corporal, of Natchez, MS; Larry K. Brown, Army Specialist, of Jackson, MS; James Anderson Chance III, Army Specialist, of Kokomo, MS; Therrel S. Childers, Marine Corps 2nd Lieutenant, of Harrison, MS; John K. Klinesmith, Jr., Army Specialist, of Carriere, MS; Jonathan W. Lambert, Marine Corps Sergeant, of Newsite, MS; Vincent Parker, Navy Engineman First Class, of Preston, MS; Joe N. Wilson, Army Staff Sergeant, of Crystal Springs, MS.

In the words of Boyd Lewis:

The tranquility we enjoy was purchased dearly. May we never forget.

The PRESIDING OFFICER. The Senator from Texas.



Mrs. HUTCHISON. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. The Senator has 2 minutes 45 seconds.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that I be allowed to take up to 4 minutes.

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

Mrs. HUTCHISON. Mr. President, I rise today to pay tribute to the remarkable men and women who have, over the years, placed their lives in danger to preserve ours. On this Veterans Day, we remember those who made the ultimate sacrifice. We express sincere gratitude for those who continue to serve and protect our freedom, and we honor those families who also contribute every day in service of our country.

On the heels of Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom, this Veterans Day is particularly significant. As we speak, American and allied soldiers continue to fight and die in defense of our liberty. Many are face to face with danger at this very moment.

It is these remarkable men and women, past and present, who embody the democratic ideals that are the foundation of our great Nation. I would like to share with you the story of one soldier who recently lost his life in Iraq. The following commentary was written by LTC John Kem, a former Army legislative fellow who worked on the Subcommittee on Military Construction during his year here. He wrote:

There are very few events more poignant than a memorial service for a fallen Soldier. The service finishes with a final roll call by the company first sergeant of the Soldier's squad members. Each Soldier in turn responds: "Here, first sergeant." Then, three times in a row, the first sergeant calls out the dead Soldier's name. Finally, after the third silent pause, waiting for a response that will never come, a lone bugler sounds Taps.

This evening [he said] I went to a memorial service for Private Second Class Jonathan Falaniko. Jonathan was killed on Oct. 27 in Baghdad by a rocket-propelled grenade. As you would expect, the memorial service was sad, but it was also a profound lesson on faith, selfless service and a family's love.

Jonathan's unit, the 70th Engineer Battalion, is part of the Army's 1st Armored Division Engineer Brigade. The senior enlisted soldier in the brigade happened to be Jonathan's father, Command Sergeant Major Ioakimo Falaniko.

After the company commander and a few of Jonathan's friends spoke at the memorial service, the command sergeant major stepped forward and spoke. He spoke about Jonathan as both a soldier and a son.

Sergeant Major Falaniko read from a few of Jonathan's recent letters.

For a point of reference, Jonathan was a new soldier who had been in the Army less than 6 months. He attended basic training beginning in May 2003 and deployed to Iraq in August of this year. The following quotes are from some of his letters in the last few months of his life:

Dad, I love being in the Army and I love serving my country.

Dad, this is where I belong, and this is where I need to be with you and the other iron soldiers.

Dad, I push myself hard because I know the drill sergeants expect a lot out of me.

Dad, Iraq is a mess and I am glad we are here to fix it.

Sergeant Major Falaniko finished by sharing from his heart talking about the kind of kid his was; the kind that loved his sisters and sent them money on every payday just to let them know he was thinking about them.

He concluded by saying to the hundreds of soldiers there at their memorial service, from the three-star general to the private:

What our country brings to Iraq is a chance for freedom and democracy . . . making a difference every day. My son died for a good cause . . . he answered the Nation's call like a typical American soldier. Jonathan was accomplishing his mission, doing what he was supposed to be doing. He had a big heart and he was proud to be a soldier.

Then, First Sergeant Allen called:

Private Falaniko.

And there was silence.

Again, he called:

Private Jonathan Falaniko.

And finally:

Private Jonathan Ioakimo Falaniko.

Silence prevailed.

Jonathan Falaniko was a hero who made the ultimate sacrifice. Both he and his father are examples of what makes our Army and our country great.

The Army and our Nation mourn his death. That young man—a soldier for not even a full year—was buried at Arlington National Cemetery on Friday.

On this Veterans Day, I think we should reflect on the wonderful young men and wonderful fathers who would put service to country above all else, for they are the ones who are protecting the freedom that we enjoy today.

Thank you, Mr. President. I yield the floor.

Mr. ALEXANDER. Mr. President, today is Veterans Day. It is a time to pay tribute to those who have fought for our freedom and made us the Nation we are today.

On November 11, 1919, Veterans Day began as Armistice Day. It marked the first anniversary of the cease-fire agreement among the Allied powers and Germany to end World War I. It was also to honor the men and women who sacrificed during that conflict.

In 1926, a congressional resolution officially named Armistice Day in the United States. It became a national holiday 12 years later. In 1954, Congress passed a law to change the name from Armistice Day to Veterans Day to honor veterans of all U.S. wars.

As I think about our veterans and all they have sacrificed, I am reminded of a day 6 months ago when I visited Madisonville, TN, to see and participate in the raising of the largest American flag in our State—1,800 square feet.

It was really an awful day. The rain was coming down, there was lightning and thunder, but hundreds of people stood there to participate in that ceremony because we knew we were enduring much less in that rain and in that lightning than men and women from Tennessee who are serving in Afghanistan or Iraq, or had served on the beaches of Normandy, or in the rice fields of Vietnam.

Tennessee is the Volunteer State. From the battle of King's Mountain in the Revolutionary War, through the Mexican War, the Civil War, and our World Wars, Tennesseans have volunteered. We have honored those volunteers, and we have honored them as veterans.

As this Nation devotes a day to our veterans, we honor both Tennessee veterans and Tennessee soldiers because so many Tennesseans—thousands—are serving in the battle against terrorism—men and women in active duty, as well as men and women in the National Guard and those in the Reserves.

The best thing we all can do on this Veterans Day is to show as much respect and honor to our veterans as our veterans have always shown to our country.

Mr. LEVIN. Mr. President, this year, as we again remember our veterans and the sacrifices they have made for our country on this 11th day of the 11th month, the men and women serving in our Armed Forces deserve special recognition. This year's remembrance is a unique time as we honor new veterans coming home from the battlefields of Afghanistan and Iraq who have made the sacrifice and have answered the call. Our appreciation and gratitude extends to all of them and their families for the sacrifices that they have made.

As of last week, 395 American service members have been killed and 1,889 American service members have been wounded during Operation Iraqi Freedom. Our thoughts and prayers are with them and their families. We pray for the safety of those still in harm's way and hope they return home soon. I visited some of our servicemen and women at Walter Reed Army Medical Center here in Washington, DC recuperating from wounds they received in Iraq. Some of them had lost limbs, and face significant physical challenges in building a new life. As I expressed my appreciation to them for their sacrifices, I was humbled and inspired by their high spirits, their determination and their abiding faith in our country.

November 11th—the day World War I ended in 1917—has been a distinguished day of recognition for America's veterans since 1954 when President Dwight Eisenhower signed into law the day that would honor the men and women who have served in our Nation's Armed Forces. Since the founding of our country, almost 50 million men and women have served in the United States military, and nearly half of them are still



alive. So today, there are appropriate ceremonies at Arlington National Cemetery, throughout Michigan and the rest of the country to honor our veterans and what their service has meant to our country.

I would also like to recognize the African-American men and women who in years past served our Nation's Armed Forces in primarily segregated units. While segregation in our Armed Forces is a shameful chapter in our Nation's past, these veterans should be uniquely recognized for their honorable service in the face of the burden of segregation. African-American soldiers overcame a pattern of prejudice that questioned their ability and prevented them from training and working with their white counterparts. Segregated African-American units have played an important and powerful role in America's military, from the Civil War's 54th Regiment of the Massachusetts Volunteer Infantry, to the Indian War's Buffalo Soldiers of the 9th and 10th Cavalry to World War II's Tuskegee Airmen. Four hundred thousand African-American troops served the United States in World War I and a million African-Americans served in World War II's segregated services. We should acknowledge their commitment which went beyond normal service and the call to duty. I am pleased that this past weekend, a special celebration of our African-American veterans took place in my home State of Michigan at the Color of Liberty Celebration at the Wayne County Armory.

I would also like to take a moment to stress the importance of the Federal Government meeting its obligations to all veterans to provide appropriate and adequate health care. There is a commitment by the appropriate committees to add an additional \$1.3 billion for veterans health care before Congress adjourns this year. Right now, 60,000 veterans are waiting 6 months or longer for an appointment at VA hospitals. I am hopeful that Congress will fulfill our commitments to our veterans so that they have a strong VA health care system that is well-funded and suitably staffed.

The terrorist attacks of September 11th and the courageous actions of our armed forces in Afghanistan and Iraq remind us that friends of tyranny and enemies of freedom still exist. Whether they are soldiers, sailors, airmen and marines who fought in the World Wars, Korea, Vietnam or the Gulf wars, we thank them for their service, their commitment and their sacrifice in the cause of America's freedom.

Ms. STABENOW. Mr. President, on this Veterans Day, I rise to recognize a group of truly deserving American veterans—the Tuskegee Airmen of World War II.

This heroic group of African American flyers fought in two types of battles—the battle of World War II and the battle against racism at home.

The Tuskegee airmen were dedicated, determined young men who enlisted to

become America's first black military airmen, at a time when rampant racism led many people to falsely assume that black men lacked intelligence, skill, and patriotism. And boy, were they proved wrong.

The military feats of this group can be described as nothing less than phenomenal.

In Order to enter the training program, the young men were held to the same demanding physical and mental standards as all other military pilots and soldiers of supporting fields. And between 1942 and 1946, 992 black American pilots graduated from the rigorous program offered at Tuskegee Army Air Field, not to mention the black navigators, bombardiers, and gunnery crews that were trained at selected military bases elsewhere due to a lack of facilities at Tuskegee.

Four-hundred and fifty of the Tuskegee trained pilots headed to the Selfridge Air Base in Michigan for combat preparation, before bravely heading overseas as proud members of either the 99th Fighter Squadron or the 332nd Fighter Group, later to be conjoined. As the only four-squadron fighter group performing bomber escort missions in the 15th Air Force, the 332nd Fighter Group had extraordinary and unprecedented success. They flew all of their bomber escort missions—over 200—without the loss of a single bomber to enemy aircraft.

The bomber escort missions of the famed 332nd "Red Tail" fighters were so daunting to the enemy that they served as an immensely strong deterrent to challenges. The bomber crews that the group escorted offered abundant expressions of appreciation since they faced far fewer challenges than other crews in the 15th Air Force.

Sadly, while these men were defending liberty for the people half a world away, they were also fighting for their own liberation right here in the United States. Despite their valiant deeds abroad, racism and bigotry impeded their success at home. Due to strict segregationist policies, their assignments were restricted to only two fighter groups, and one fighter wing. Their morale suffered more damage due to the lack of opportunities for advancement than their air fleet did by enemy fire.

Despite this setback, these soldiers still performed splendidly. In 1949, Tuskegee pilots took first place in the Air Force National Fighter Gunnery Meet, surpassing the performances of all the white units.

The bigotry against these men only served to hurt America. During the war, many white units badly needed additional qualified soldiers, but could not draw upon the superb skills of the Tuskegee airmen due to the military's segregationist policies.

But this cloud had its silver lining. The willpower and skill that brought success for the Tuskegee airmen abroad also helped in the war against racism at home. President Harry Tru-

man, recognizing the need for an integrated air force, enacted an executive order demanding equality of treatment and opportunity in all of the armed forces.

The Tuskegee airmen were instrumental in the passing of this executive order, which paved the way for broader victories later on, including the end of racial segregation in all military forces, and eventually in the United States as a whole.

These soldiers are a vibrant part of America's history and a part of Michigan's. Not only did many of the soldiers train at Selfridge Air Base, but the cadet classes drew heavily from the Detroit citizenry. One such citizen made Michigan understand the value of the Tuskegee program to its own history.

Lieutenant Coleman Young, later to become a long-time mayor of Detroit, was a product of the Tuskegee experience. Assigned to the 477th bombardier, he and his colleagues were never sent into combat due to racism from senior officers. Determined to preserve the memory of the Tuskegee airmen, with the help of other Detroit members, he fostered what has become the National Tuskegee Airmen Historical Museum, housed at historic Fort Wayne. This small but dignified museum, occupying an old officer's quarters, perpetuates the great story the Tuskegee have to tell.

A story I believe we should all listen to. All in all, these soldiers gave over 150 lives in the name of their country and in the name of freedom. I now call on that country, the United States, to provide them the recognition they deserve on this Veterans Day.

According to existing records, 155 Tuskegee soldiers originated from Michigan. I wish to recognize each one of them:

#### TUSKEGEE AIRMEN

Kermit Bailer; Clarence Banton; James Barksdale of Detroit; Hugh Barrington of Farmington Hills; Naomi Bell; Thomas Billingslea; Lee Blackmon; Charles Blakely of Detroit; Robert Bowers of Detroit; James Brown of Ypsilanti; Willor Brown of Ypsilanti; Ernest Browne of Detroit; Archibald Browning; Otis Bryant; Joseph Bryant, Jr. of Dowagiac; Charles Byous; Ernest Cabule of Detroit; Waldo Cain; Clinton Canady of Lansing; Carl Carey of Detroit; Gilbert Cargil; Nathaniel Carr of Detroit; Donald Carter of Detroit; Clifton Casey; David Cason, Jr.; Peter Cassey of Detroit; Robert Chandler of Allegan; Pembleton Cochran of Detroit; Alfred Cole of Southfield; James Coleman of Detroit; William Coleman of Detroit; Eugene Coleman; Matthew Corbin of Detroit; Charles Craig of Detroit; Herbert Crushshon; John Cunningham of Romulus; and John Curtis of Detroit.

Donald Davis of Detroit; Cornelius Davis of Detroit; Eugene Derricotte of Detroit; Taremund Dickerson of Detroit; Walter Downs of Southfield; John Egan; Leavie Farro, Jr.; Howard Ferguson; Thomas Flake of Detroit; Harry Ford, Jr. of Detroit; Luther Friday; Alfonso Fuller of Detroit; William Fuller of West Bloomfield; Frank Gardner; Robert Garrison of Muskegon; Thomas Gay of Detroit; Charles Goldsby of Detroit; Ollie Goodall, Jr. of Detroit; Quintus Green, Sr.;

Mitchell Greene; James Greer of Detroit; Alphonso Harper of Detroit; Bernard Harris of Detroit; Denzal Harvey; James Hayes of Detroit; Ernest Haywood of Detroit; Minus Heath; Milton Henry of Bloomfield Hills; Mary Hill; Charles Hill, Jr. of Detroit; Lorenzo Holloway of Detroit; Lynn Hooe of Farmington Hills; Heber Houston of Detroit; Ted Hunt; and Hansen Hunter, Jr.

Leonard Isabelle Sr., Leonard Jackson; Lawrence Jefferson of Grand Rapids; Alexander Jefferson of Detroit; Silas Jenkins of Lansing; Richard Jennings of Detroit; Louie Johnson of Farmington; Ralph Jones; William Keene of Detroit; Laurel Keith of Cassopolis; Hezekiah Lacy of River Rouge; Richard Macon of Detroit; Albert Mallory; Thomas Malone; Ralph Mason of Detroit; J. Caulton Mays of Detroit; William McClenic; Arthur Middlebrooks; Oliver Miller of Battle Creek; Vincent Mitchell of Mt. Clemens; Wilbur Moffett of Detroit; Dempsey Morgan of Detroit; Russell Nalle, Jr. of Detroit; Robert O'Neil of Detroit; Frederick Parker; Robert Pitts of Detroit; Wardell Polk of Detroit; Walter Poole; Calvin Porter of Detroit; Calvin Porter; Leonard Proctor; Della Rainey; Sandy Reid of Southfield; Edward Rembert; Harry Riggs of Bloomfield Hills; Walter Robinson of Detroit; Major Ross of Oak Park; Washington Ross of Detroit; John Roundtree of Westland; Calude Rowe of Detroit; William Ruben; William Rucker; Jesse Rutledge of Detroit; and Issac Rutledge.

Calvin Sharp; Albert Simeon, Jr. of Detroit; Paul Simmons, Jr. of Detroit; Leon Smith; Chauncey Spencer; William Stevenson; Chester Stewart of Detroit; Harry Stewart of Bloomfield Hills; Roosevelt Stiger of Jackson; Howard Storey; Willie Sykes of Detroit; Willis Tabor; Kenneth Taitt of Detroit; William Taylor, Jr. of Inkster; Lucius Theus of Bloomfield Hills; Donald Thomas of Detroit; Austin Thomas; Wm. Horton Thompson of Detroit; Jordan Tiller; Paul Tucker of Detroit; Edward Tunstall of Detroit; Allen Turner of Ann Arbor; Cleophus Valentine of Detroit; Charles Walker of Jackson; Robert Walker; Roderick Warren of Detroit; Theodore Washington of Detroit; Richard Weatherford of Albion; Jimmie Wheeler of Detroit; William Wheeler of Detroit; Cohen White of Detroit; Harold White of Detroit; Paul White; Peter Whittaker of Detroit; Leonard Wiggins of Detroit; David Williams of Bloomfield Hills; Willie Williamson of Detroit; Robert Wolfe; William Womack; and Coleman Young.

Mrs. FEINSTEIN. Mr. President, today, on Veterans Day, we commemorate and pay special honor to all the veterans who have made such great sacrifices in the name of country and democracy.

This day is particularly poignant as our Nation is at war. There are more than 150,000 military service members in harm's way, fighting overseas in Iraq and Afghanistan.

They fight for freedom of the Iraqi people, who have faced decades of extreme oppression and brutality under Saddam Hussein, and against the Taliban forces, who continue to pose a challenge in Afghanistan.

Sadly, nearly 500 have paid the ultimate sacrifice and many more have sustained life altering injuries.

And as we prepare to send thousands more in harm's way, I believe that it's our obligation to ensure that our military service members and veterans receive full support from Congress, and that our efforts are tailored to benefit those who proudly serve this Nation.

We have recently granted the Administration an additional \$87 billion dollars in supplemental funding for Iraq and Afghanistan.

While I would have preferred that some of those funds be in the form of a loan to Iraq, and that there be more safeguards to ensure the funds are well-used, I believe that it was necessary to provide these funds.

It is clear to me that we must stay the course, and we must rebuild the infrastructure, prevent civil war, and see to it that Iraq does not become a base for terror and instability throughout the region.

We must see to it that a stable governmental structure and viable economy apart from Saddam's tyrannical dictatorship can be put in place.

And most importantly, we must see to it that our troops are given all the tools necessary to accomplish these objectives.

Approving the additional funding was the only way to truly support our military service members and aid their ultimate success.

As we seek to ensure that the current war efforts are well funded, we also need to realize that very soon, the young men and women of our armed forces will be returning home.

Some will require extraordinary care for a long period of time. It is incumbent upon us to ensure that they have adequate facilities to aid them in their recovery and recuperation.

There must not be any doubt by any of our injured veterans that they did the right thing in sacrificing health to defend our nation's interest.

The best way to prove to them that they have our full support is to ensure that they receive good health care and adequate benefits once they return home.

It is our responsibility to make sure that our veterans are not waiting six months or longer for appointments at VA hospitals, nor should they have to wait for 15 months for disability claims to be finalized, as is now often the case.

And prescriptions costs must be affordable.

We need to make room available in VA hospitals to ensure that all of our veterans whether active duty or reserves are adequately served.

In order to accomplish this task we must be cautious as we close hospitals under the Capital Assets Realignment for Enhanced Services—CARES—program to ensure that we don't leave our veterans stranded without accessible services.

As our veterans return home, some with great and debilitating injuries, we must also ensure that their compensation is just, full, and reflective of the American spirit.

Finally, we need to remember the families of the great men and women who are separated from their loved ones.

We must make sure that their concerns are the Nation's concerns. While their loved ones are overseas fighting

for America's interest, Congress must ensure that their medical needs are covered.

As I reflect on the origin of Veterans Day, it brings me great hope that our service members will be home and peace will reign again.

On June 4, 1934, Congress enacted a concurrent resolution, recognizing November 11, 1918. The resolution states: "Whereas the 11 of November 1918, marked the cessation of the most destructive, sanguinary, and far reaching war in human annals and the resumption by the people of the United States of peaceful relation with other nations, which we hope may never again be severed, and Whereas it is fitting that the recurring anniversary of this date should be commemorated with thanksgiving and prayer and exercises designed to perpetuate peace through good will and mutual understanding between nations; . . ."

On May 13, 1938, the 11 of November was approved as a legal holiday dedicated to world peace, known as Armistice Day. Finally, on June 1, 1954, Congress renamed Armistice Day to Veterans Day, thereby commending all veterans.

Veterans Day is often associated with war, but its true significance lies in peace and humanity.

Since September 11 this country has undergone tremendous struggle and uncertainty.

We have shown that our resiliency is greater than our fears and our convictions of freedom and right can not be compromised.

This country is great because its citizens are great. This country was born from the sacrifice of its citizens and the vision they saw.

Today we honor the citizens who served and continue to serve our great country. They are the protectors of our democracy and our way of life; they are our veterans.

Mr. CONRAD. Mr. President, in the past few days, the tragic headlines from Iraq have reminded us of the selfless sacrifices our soldiers, sailors, marines and airmen make every day to keep this country strong and safe. The conflict in Iraq brings home again the debt we owe to America's veterans for their service and their sacrifices.

In North Dakota, we are extremely proud to have the highest per capita participation in the Guard of any State and to be among the leaders in per capita participation in the Reserves. More than 1,000 North Dakota National Guardsmen and reservists in Iraq, Kuwait and Afghanistan are serving with distinction. Behind these statistics, though, are individual soldiers who have left behind families. With the wonders of modern technology, I can hear directly from soldiers who are on the frontlines in Iraq. I hear of their accomplishments, when they've helped make life just a little better for an Iraqi family or even a whole community. I hear of their pride in doing a job well for their country. But I also hear

of their frustration with searing heat, swirling dust, and irregular access to showers and the other comforts we take for granted. I hear of their worries about family at home, how their loved ones are coping with their absence and their concern that the news of deaths and injuries among their fellow soldiers are adding to the stress on their families. I hear their longing to get back to home and family. In short, I hear of the sacrifices they are making on our behalf.

And every day I hear from the family members of our activated servicemen and servicewomen. I hear how proud they are that their beloved ones are serving the country they love. But I also hear of the added burden that those left behind must bear. I hear the frustration of not knowing when a loved one will come home and of learning that the deployment has been extended. I hear of the hit on the family finances for Guardsmen or reservists who have left higher paying jobs to serve their country—and of the spouses who are left to keep the family business running on their own. I hear of the added work as one parent takes on the work normally done by two—the caregiving, the helping with homework, the coaching, the meal preparation—all the little chores that add up and are starting to become a source of stress for some families. I hear the added anxiety of knowing that a loved one is serving in a dangerous role far from home. Each time the phone rings, they hope that it will be a rare opportunity to hear that everything is going well and to say “I love you,” but they fear that it could be news of a casualty. In short, I hear of the sacrifices that they are making on our behalf.

And I hear of the tremendous impact on small communities throughout North Dakota. The current call-up has meant the loss of valued employees in small businesses on main streets across the state. It has meant the loss of teachers, volunteer firefighters, policemen, and medical personnel. And it has meant the absence of church leaders, PTA leaders, Little League coaches. In short, it has meant sacrifices great and small.

So this Veterans Day, we are reminded of the tremendous sacrifices of our veterans and their families. Today is a Federal holiday. But it is more than that. It is an opportunity to stop and thank veterans for their service and their sacrifice. It is an opportunity to tell them how proud they make you. And it is an opportunity to remember those who made the ultimate sacrifice and the debt of gratitude and honor this country owes to their heroism.

I deeply regret that the business of the Senate is keeping me here in Washington so that I am not able to deliver that message personally to the tens of thousands of North Dakota veterans who served in past conflicts and wars. More than 50,000 veterans currently live in my State. Their service is rich in history. I remember reviewing his-

torical accounts of one of the most significant engagements involving North Dakotans in 1942, when members of the 164th Infantry Regiment of the ND Army National Guard were the first Army unit to engage in combat action in the Pacific Theater on Guadalcanal. I was honored to have introduced a resolution that passed the Senate in 1992 paying tribute to the heroic actions of the 164th Infantry unit.

Today, as I noted earlier, military personnel from our State continue to protect our homeland and to serve in hostile environments around the world. Active duty personnel from the Minot and Grand Forks AFB, Air National Guard from Fargo, and the more than 1,000 Army National Guardsmen and reservists continue to play a vital role in homeland security and in the fight against terrorism. We owe these active duty personnel and their families a deep debt of gratitude for responding to the extraordinary challenges posed by international terrorism.

As we observe Veterans Day, let us remember that the respect and appreciation that we show our veterans and active duty personnel on this day is an act that we should demonstrate every day of the year. It is especially important that we honor veterans and their families by making certain that our active duty personnel and veterans receive the benefits that we have promised and that they are entitled to receive. We can do no less for the sacrifices that they have made.

That is why I am working hard in the remaining days of the 1st Session of the 108th Congress to make certain that our veterans receive significant increases in funding for VA health care, funding that should come as close as possible to the recommendations of our national veterans service organizations in the annual Independent Budget. I am hopeful that Congress will increase the VA health care budget by \$1.3 billion, bringing the level close to \$27.2 billion. I strongly support that increase. Additionally, I am very concerned by the uncertainty of annual appropriations for VA health care every year, and believe that we need to make VA health care funding mandatory to guarantee that veterans get the health care they need and deserve. I am pleased to be a cosponsor of legislation, S. 50, that would guarantee full funding for VA health care.

I also believe that it is time to end the penalty against our disabled veterans, and am pleased that we are making progress on providing full concurrent receipt of veterans disability compensation and military retirement pay for more veterans. While final action has not been completed on the concurrent receipt, I am hopeful that an agreement to expand significantly the number of veterans eligible for concurrent receipt and military retirement pay, without an offset, will be enacted by Congress in the very near future. We must, however, continue our efforts to provide full concurrent receipt for all veterans entitled to this benefit.

Let me close by saying thank you. Thank you to our veterans. Thank you to our military personnel now on active duty around the world. Your service and your sacrifice make me, and you make America, very, very proud.

Ms. CANTWELL. Mr. President, today marks the 50th anniversary of Veterans Day. This historic occasion is an important opportunity for all Americans to express our gratitude to our Nation's veterans for the sacrifices they have made serving our country and defending our freedom.

My first sense of the sacrifice made by our veterans came from my family. My father volunteered to serve in the Air Force during World War II, and flew missions over Europe. I will never forget his stories of the war, of the men with whom he served, and of the dangers they faced together. Yet he knew full well the risks he would face when he joined up.

In fact, my father enlisted after learning that his brother was missing in action. Like the hundreds of thousands who fell at places like Normandy, Guadalcanal, Anzio, and Attu, and places so desolate they remain unnamed, my uncle never came home. He and his brothers in arms gave their lives to defend freedom at home and around the world.

In perhaps the most eloquent testament to the sacrifice of our Nation's veterans, President Abraham Lincoln said:

But in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here.

President Lincoln's stirring words are as true today as they were at Gettysburg 140 years ago this month. The ongoing deployments in the Middle East are a reminder of these sacrifices. Earlier this year, I had the opportunity to visit American troops stationed in Afghanistan and Iraq. I was impressed by their grit and their resolve to carry out a dangerous mission under extremely difficult circumstances.

I was also proud to join the families and neighbors who welcomed home the thousands of Washington sailors, aviators, and Marines who served in the U.S.S. *Abraham Lincoln* carrier battle group. It was uplifting to see such a tremendous outpouring of support for our troops.

Sadly, not all of them will make it home. To the families and loved ones of those men and women who have given their lives, I offer my heartfelt sympathy. You have the everlasting gratitude of the State of Washington and the Nation.

I am profoundly grateful for the service of America's military personnel and for the sacrifices they have made in protecting our country and our freedoms. Although we commemorate their service on this special day each year, it

is important to remember that the men and women in uniform make sacrifices to safeguard America every day.

Their service, both in peacetime and in war, protects us all. Our responsibility to them is to ensure that they and their families are provided the recognition that they have earned and so greatly deserve. It is also our charge, as Lincoln described it, to renew our dedication to the "great task remaining before us"—to renew our dedication to freedom and democracy. I am confident that as we a nation will continue to live up to this challenge. I hope that we can meet our obligations as citizens with the same sense of duty and honor with which America's veterans served.

Mr. BENNETT. Mr. President, on Veterans Day, it is fitting to pause, remember and recognize the contributions of those who have defended America throughout our history. Today, I would also like to recognize a man who risked his life to save his fellow marines in the horrific World War II battle for Iwo Jima.

Historian David Kennedy, in his book "Freedom from Fear," describes the battle of Iwo Jima:

The twenty-one-thousand-man Japanese garrison had honeycombed Iwo's basaltic ridges and Suribachi's ashen flanks with reinforced concrete-and-steel bunkers and stuffed them with artillery, anti-aircraft guns, mortars, and machine guns. They were so well and deeply entrenched that seventy-two days of aerial bombing and three days of naval shelling barely scratched them. At first light on February 19 two divisions of marines, each man carrying up to a hundred pounds of gear, stepped from their amphibious tracs onto Iwo's beaches and sank to their boot-tops in the powdery mixture of sand and volcanic ash. Vehicles, including tanks and half-tracks, soon bogged down in the quicksand-like topping of pumice and cinder that blanketed the island. From the Japanese bunkers and pillboxes a hellish rain of shells and bullets pelted the beaches, where the marines seemed to be moving in slow motion through the sucking sand. . . .

The battle ground on . . . with unmatched barbarity. Japanese soldiers stubbornly refused to surrender. When the fighting ended at last in late March, only a few hundred Japanese, mostly wounded, had allowed themselves to be taken prisoner.

From February 19 to March 25, 1945, 6,140 Marine and Navy soldiers were killed on Iwo Jima and 17,372 were wounded. Nearly two of three soldiers who fought on Iwo Jima were killed or wounded. Twenty-two Marines and four corpsmen received medals of honor.

During those terrible days of February and March of 1945, George E. Wahlen was a medical corpsman. James Bradley, in the book, *Flags of our Fathers* said this:

. . . In the European theater, my dad (a navy corpsman) would have worn a red cross on his helmet and expected the Germans to spare him as a noncombatant. And he would have been unarmed, according to the Geneva Convention, but the Pacific theater was different. . . . The Japanese on Iwo Jima had been trained to look for corpsmen by identifying their telltale medical pouch—and shoot them on the spot. Without a corpsman to save the wounded, the Japanese knew, their kill ratio would be much higher. . . .

Though seriously wounded three times in 26 days, corpsman George Wahlen refused evacuation and repeatedly defined heavy mortar and rifle fire from the enemy to find and treat his wounded comrades. Disregarding his own safety, he continued to cross open terrain under fire to aid his friends, until he was so badly wounded, he could no longer walk. Even then, he carried on, crawling across the ground through the raging battle to administer aid to yet another fallen comrade. For his unselfish and steadfast courage, and for "conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty," George Wahlen was awarded the Medal of Honor, and is Utah's only living recipient of that rare recognition.

We are all familiar with the language of military honors, but, in these challenging times, where American soldiers and sailors, airmen and marines, once again are serving in foreign lands and showing the same gallant spirit of sacrifice and courage in the face of battle, we need to hear it again. I would like to quote from Mr. Wahlen's citation:

Painfully wounded . . . he remained on the battlefield, advancing well forward of the front lines to aid a wounded marine and carrying him back to safety despite a terrific concentration of fire. Tireless in his ministrations, he consistently disregarded all danger to attend his fighting comrades as they fell under the devastating rain of shrapnel and bullets. . . . When an adjacent platoon suffered heavy casualties, he defied the continuous pounding of heavy mortars and deadly fire of enemy rifles to care for the wounded, working rapidly in an area swept by constant fire and treating 14 casualties before returning to his own platoon. Wounded again . . . he gallantly refused evacuation, moving out with his company the following day in a furious assault across 600 yards of open terrain and repeatedly rendering medical aid while exposed to the blasting fury of powerful Japanese guns. Stouthearted and indomitable, he persevered in his determined efforts as his unit waged fierce battle and, unable to walk after sustaining a third agonizing wound, resolutely crawled 50 yards to administer first aid to still another fallen fighter. By his dauntless fortitude and valor, Wahlen served as a constant inspiration and contributed vitally to the high morale of his company during critical phases of this strategically important engagement. His heroic spirit of self-sacrifice in the face of overwhelming enemy fire upheld the highest traditions of the U.S. Naval Service.

James Bradley, in an article in the *Wall Street Journal* on November 10, 2002, considered the phrase "Uncommon Valor was a Common Virtue" in his search to learn the story of his dad, and others at Iwo Jima. Mr. Bradley wrote:

Corpsman George Wahlen was injured in the eye and shoulder, but patched himself up secretly so he would not be evacuated. When an exploding shell shattered his ankle, leaving his foot dangling and all but disconnected from the leg, he shot himself with morphine, taped up his ankle, and crawled back to the fight with one good eye, one good arm, and one good leg. Corpsman Wahlen had to be dragged off the field of battle. "Why?" I asked. He answered, "I just did

what anyone else would have done in the situation."

. . . I thought to myself, "If uncommon valor was so common on Iwo Jima, why can't I find the Rambos of my imagination?" All I could find were humble guys who insisted they hadn't done much. . . . But I realized then that what my dad's life and words, and the words and lives of these other heroes, were trying to tell me, was that it was all about common virtue.

My dad and his comrades were men of common virtue before Iwo Jima, on Iwo Jima, and after Iwo Jima. Their actions and lives were consistent. . . . I realized that the key to my dad's life was the attitude of common virtue he practiced throughout his days. . . . My dad, running through bullets on Iwo Jima, doing his duty in the Pacific. My dad having the patience to teach me, a young son, how to tie his shoes. My dad, just lending a hand in his community. . . . And I am confident that if my dad were here to read these words about common virtue being the root of heroism, he would shake his head in agreement and say: "It's as simple as that."

Mr. Wahlen has demonstrated common virtue throughout his life and continues to do so. He did not end his service on Iwo Jima. Following World War II, true to the code of what Tom Brokaw called "the greatest generation," he went on to serve his country in two more wars and to dedicate countless volunteer hours in following years to the service of his fellow veterans.

It is to honor this fine and humble man, who would be the last to claim such an honor for himself, that I am proposing to change the name of the Department of Veterans Affairs' Medical Center in Salt Lake City, UT to the "George E. Wahlen Department of Veterans Affairs Medical Center." Senator HATCH and I introduced this legislation, S. 1815, last week.

This is a proper and fitting thing to do, not only because of Mr. Wahlen's accomplishments and service, but also because he is beloved by his fellow veterans. This is made clear by the unanimous support I received in support of this change from all of the State commanders and directors of Utah's veterans' organizations and State and Federal agencies: the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, the VA Regional Office, the Utah Division of Veterans Affairs, and the VA Medical Center itself.

When carrying the 2002 Olympic Torch George Wahlen said, "It's an honor, but I feel like I'm representing all the veterans in the State of Utah." He has represented veterans so often over the last 30 years. In this circumstance, we honor George Wahlen, as a veteran, a Medal of Honor recipient, a man of both valor and virtue, and as a representative of all of the veterans who have served their country.

Many veterans who returned as heroes are often uncomfortable with the designation of heroes. James Bradley, in *Flags of our Fathers*, recounted a story where his third grade teacher referred to James's father as a hero and wanted him to come and speak to his

class. He recounts the exchange with his father:

"Jim, your teacher said something about heroes . . ."

I shifted expectantly in my chair, waiting to hear some stories of valor. Instead he looked me directly in my nine-year-old eyes, signaling that he'd like to embed an idea in my brain for the rest of my life. He said "I want you to always remember something. The heroes of Iwo Jima are the guys who didn't come back."

Today, we remember those who came back and those who didn't—those who didn't come back from Iwo Jima, from Guadalcanal, from Normandy, from Vietnam, from Korea, from Afghanistan, from Iraq.

While words fail to make an adequate tribute to those who lost their lives and paid a price in sacrifice for what we enjoy today, I will borrow from what has already been written. In 1940, Winston Churchill spoke to the House of Commons in relation to the Battle of Britain. He said, "Never in the field of human conflict was so much owed by so many to so few."

There are heroes that never came back. There are heroes that did. Let us not forget.

Mr. BREAUX. Mr. President, I rise today to honor the veterans of the U.S. Armed Services and to thank those who continue to serve bravely and protect the United States around the world.

My home State of Louisiana has made a significant contribution to the war on terrorism. Since September 11, 2001, more than 15,000 Louisiana men and women have fought to protect Americans from those that threaten our safety. Every military installation in Louisiana has contributed to this effort. There are 4,000 men and women from Fort Polk currently serving in Iraq, more than 6,000 members from Barksdale Air Force Base deployed since September 11, and thousands of reservists and Guardsmen continue to be activated and deployed throughout our country and the world. In the coming months, over one hundred more Marine Reservists from Belle Chasse Joint Reserve Base in Louisiana will be called into action in Iraq. I would like to take this opportunity to express my deep gratitude for their sacrifice.

I also want to let the roughly 379,000 veterans living in Louisiana and those around the country know we do not forget your service to our country. We will be eternally grateful for your service to the United States in our past and present wars against communism, fascism, and terrorism. Our Nation stays strong because of your efforts, and the world is a better place for the things you have done.

On this anniversary of the historic World War I armistice in Europe, I honor the great achievements and sacrifices of the acting and retired members of the United States Armed Services and thank them for their bravery.

Mr. AKAKA. Mr. President, I pay tribute to the 26.4 million military veterans and their families living in the

United States who have served in defense of our great Nation. In 1918, on the 11th hour of the 11th day in the 11th month, the world rejoiced and celebrated. After four years of bitter war, an armistice was signed. The "war to end all wars" was over. How unpropagandistic were these sincere but hopeful words.

The turn of events has since made us realize more than ever that "Eternal vigilance is the price of liberty," and Armistice Day has turned into Veterans Day to honor all our brave men and women who served since that hope-filled day in many countries to defend liberty and freedom.

America today, and this imperfect world, is a better place because of the sacrifices made by our veterans and their families, many of whom paid the ultimate price, for "The only thing necessary for the triumph of evil is for good men to do nothing." When duty called, our veterans responded magnificently.

As we engage in Operation Iraqi Freedom, Operation Enduring Freedom, Operation Noble Eagle, and countless other missions around the world, it is important that we support our men and women in the military by providing them with the training, equipment, and resources necessary for them to accomplish their mission so that they can return to their families in a timely manner. We must also honor their families who also sacrifice precious time with them so that they can defend our freedom.

At the same time, we must never forget the contributions and sacrifices made by those veterans who served in past conflicts, and their families. We must work to ensure that our veterans are provided with appropriate services and benefits, such as adequate health care, in a timely fashion. We currently face a \$1.8 billion shortfall in funding needed to provide healthcare for our veterans. I remain committed to ensuring that our veterans are provided with the services and benefits that they have earned.

I am honored to pay tribute to these fine individuals on behalf of a grateful Nation.

Mr. CHAMBLISS. Mr. President, from the Meuse-Argonne campaign of World War I to the action in Operation Iraqi Freedom, American soldiers, sailors, airmen, and marines have fought on front lines around the globe to defend our freedom at home. Whether fighting on the battlefield or manning the ramparts against the threat of Communist aggression, it is courage, commitment and endurance of the American fighting forces that have made possible the unprecedented prosperity and political freedom that we enjoy today. As a result of the constant struggle to defend freedom, we now have 26 million American veterans, about 768,000 of which are from my home state of Georgia.

With each year that passes, these veterans are growing older. At last

count, 37 percent of these heroes are over 65 years old and many of them need medical care. Caring for these brave men and women is an obligation that we must take seriously. In my first year as a Congressman, in 1995, spending on veterans healthcare was \$16 billion. Just 9 years later, President Bush's fiscal year budget request was \$27 billion, an increase of \$11 billion. We can always do better, and we will, but I think that this dramatic rise in funding is remarkable.

We have taken other significant steps to help our Nation's veterans, including concurrent receipt legislation in the fiscal year 2004 Defense Authorization Act, which we will consider today on the floor of the Senate. This provision helps disabled veterans wounded in combat to receive both their disability compensation as well as the pension which they earned in service to our Nation. In addition, the concurrent receipt provision will extend full disability and Veterans Affairs retirement pay for all disabled veterans rated 50 percent and higher. When enacted, this provision does more to honor our Nation's disabled veterans than Congress has done in years.

On this day, my thoughts and prayers are with the families of the fallen soldiers who were deployed from my home State and throughout the Nation, who served with honor and bravery in the Middle East and Afghanistan. My thought and prayers are also with the family of GEN Ray Davis, who passed away earlier this year and whose legacy of service, honor, and heroism will be remembered for years to come.

Mr. SARBANES. Mr. President, I join with my colleagues on this Veterans Day in paying tribute to those men and women who have so ably served in our Nation's Armed Forces and honoring the tremendous sacrifices they have made for this great country.

I firmly believe that those citizens who have been called upon to defend our Nation, to risk and in many cases sacrifice their lives, deserve our utmost respect and gratitude, for these noble men and women are responsible for the peace and freedom which we, as Americans, cherish.

As we use this time to reflect upon the heroic deeds of the past, we should also recognize the significance of these deeds for the present and the future. Due to the unselfish efforts of those of who have served, those who serve now, and the efforts of all of those who are no longer here with us, the world continues to be a safer place and the principles of democracy survive.

I have often said we ought not be sunshine patriots, that our dedication to the men and women who have served should not solely be reserved for days such as this. Rather, we should be cognizant of their contributions every day of the year.

Throughout my time in Congress, I am pleased to have fought hard on behalf of the issues of importance to our Nation's veterans: improving veterans

health care and making it more accessible, protecting our veterans' benefits, including the authorization of concurrent receipt, and ensuring that each veteran has a proper burial.

This week, the Senate may take up the Department of Veterans Affairs Appropriations bill—which will fund VA and its programs during the current fiscal year. I am pleased to have joined with many of my colleagues in working to increase the VA budget by \$1.3 billion—to ensure that all veterans receive the benefits to which they are entitled. I am hopeful that this increase will ultimately be included in the bill when it is sent to the President for signature.

In my view, we have a responsibility to adequately fund these programs—programs critical to the continued health and welfare of our Nation's veterans. It is simply a matter of fairness and is, indeed, the very least we can do to honor their commitment and service to this Nation.

Mr. CORZINE. Mr. President, I rise to call attention to the importance of the Veterans Day commemoration ceremonies and private remembrances, both formal and informal, being observed today by Americans around the Nation and across the world.

Given the many demands on this body and the hectic pace of modern life, it is all too easy for the Senate, as well as for all Americans, to fail to give this day—Veterans' Day the attention it demands. It is all too easy to let the date on the calendar pass without stopping and reflecting.

But, as citizens, as well as public servants, we must never fail to commemorate, honor, and remember in our hearts our veterans and their sacrifices and what those sacrifices have meant to our country.

A mere once a year we are called to publicly applaud and honor the many Americans, living and deceased, men and women of every ethnic group and walk of life, who have given of themselves, their time, their youth, their sweat, and, all too frequently, their blood, and their lives. Their sacrifices have kept us free and enabled us to remain the last best hope of the world.

About this nation's revolution, Thomas Paine wrote:

These are the times that try men's souls. The summer soldier and the sunshine patriot will shrink from the service of their country; but he that stands it now, deserves the love and thanks of man and woman.

In observing Veterans Day today, we offer our love and thanks to those Americans, over the course of our history, who did not shrink from the service of their country.

Most came to military service willingly, even eagerly, many with good humor and high hopes, some more reluctantly, and more than a few who, frankly, would rather have been elsewhere.

I can remember myself some years ago, as a young marine humping an 81-millimeter mortar tube across the

California desert, wishing very sincerely to be elsewhere at that moment.

What they all have in common, and what we all honor today, is that they did not shrink from the service to their country, and still don't.

As they did not shrink from service during World War II in the Pacific and in Europe, in long and bitter wars in Korea and Vietnam, in Lebanon and Grenada, in Saudi Arabia and Kuwait, and, today, in Iraq and in Afghanistan, on hundreds of ships in every ocean of the world; in Minot, ND; and in Fort Dix, NJ; on Diego Garcia and in Misawa, Japan; at Ft. Benning, GA; on Paris Island, SC; and at Walter Reed Army Hospital and Bethesda Naval Hospital here in Washington.

They responded to a sense of duty, obligation, and a desire to belong to or strive for something separate and apart from personal ambition.

They may not even see or clearly understand at the time their own motivations, but they do not shrink from service all the same, and our country is the better for it.

A simple choice on the face of it—the willingness to serve—but one that, given the unparalleled abundance of choices that Americans today enjoy—we must recognize, honor and support.

As we stop to honor our veterans, we must go beyond rhetorical support.

We must provide for those who have served the rest of us so well, and we need to do so in practical and concrete terms, for our debt to our veterans' demands that we respond to their needs and their concerns, and demands that we deliver the benefits they have earned through their service and sacrifice.

First, full accountability for all MIA/POW's, without exception. There is no higher obligation for a country than to keep faith with those of its fighting men and women who may still be in enemy hands. We must not turn away.

In this regard, I urge the administration and the Defense Department to continue their search for CAPT Michael Scott Speicher, United States Navy, whose family is from New Jersey and whose aircraft was shot down over Iraq in 1991.

Then-Commander Speicher was reported as the first American service member killed in action in Desert Storm. His status, however, was changed by the Department of Defense from killed in action to MIA and then, in 2002, to POW. More indications suggesting Captain Speicher may have survived his 1991 shoot-down came to light after our liberation of Iraq.

The Defense Department's search for him, with the urging of my Senate colleagues and me, must continue until Captain Speicher's fate is fully accounted for.

Turning to the VA health care system, tens of thousands of veterans now must wait six months and more for appointments. Some find they have to wait as long as one to two years to be seen.

This kind of delay and lack of access to healthcare is unacceptable and yet is all too common. It is also completely unnecessary. The difficulties faced by our veterans are caused by chronic underfunding of the VA health system.

The VA system relies on the annual appropriations process, a process which is contentious and unpredictable and which makes it all too tempting to slash current year funding regardless of how this affects our veterans.

This year, for example, veterans organizations estimate that the VA health system needs \$1.8 billion more than the President requested.

As a result, veterans advocates have once again found themselves playing catch-up.

The solution is mandatory funding of VA health needs so that veteran's benefits are no longer subject to the politics of the annual appropriations process.

Without such a mechanism, the VA system will remain chronically underfunded, and veterans needing care will continue to have to wait disgracefully long periods of time.

I also wish to note that today I am introducing the Comprehensive Hepatitis C Health Care Act, to provide increased testing and care for veterans at risk of or infection with hepatitis C.

Most veterans who have hepatitis C don't even know it, and often don't get treatment until it's too late.

Yet despite recent advances in care, the VA still lacks a comprehensive approach to testing and treating veterans for the virus.

The legislation I am introducing would improve access to hepatitis C testing and treatment for all veterans, ensure that the VA spends all allocated hepatitis C funds on testing and treatment, and set new, national policies for hepatitis C care.

I have also introduced and will continue to push for a measure to lower the retirement age for reservists to 55.

This measure is a way to ensure fairer treatment for reservists in their career planning and to make a reserve career more attractive to military members who might otherwise opt out of further service.

We need to think about equity for reservists, and about the attractiveness of Reserve careers as our global strategy comes to rely ever more heavily on reservist citizen-soldiers.

We also owe our veterans full concurrent receipts.

There should be no conflict between a veteran's right to receive his or her retirement benefits and a disabled veteran's right to disability income. And yet, incredibly enough, disabled veterans continue to pay what is, in effect, a tax on their disability payments. It is time—once and for all—to eliminate this tax.

Ensuring that all veterans have access to quality healthcare is a small repayment for the contributions veterans have made in service to this Nation.

Unfortunately, the current Veterans Administration healthcare funding formula—VERA—puts veterans in high-cost areas, such as New Jersey, at a severe disadvantage in getting adequate medical care.

Vets shouldn't be forced to wait months for an appointment at a veterans medical clinic or to shoulder excessive fees because of a quirk in the formula that funds VA health care.

That is why I introduced legislation to make VA healthcare funding fairer by accounting for the distinct financial challenges confronting veterans and healthcare providers in different parts of the country.

This legislation, S. 1014, would replace the national income threshold for classification as a low-income veteran—currently \$24,000 for all parts of the country—with regional thresholds defined by the Department of Housing and Urban Development.

This adjustment would help low-income veterans across the country afford quality health care and help ensure that Veterans Integrated Service Networks, VISN's, receive adequate funding to care for their distinct veteran populations.

In thinking about our veterans, we must also consider the brave men and women fighting for us now in Iraq and in Afghanistan and elsewhere.

As we honor their service, we must never forget what we owe them—now and when they return.

With so many Guard men and women and Reservists serving, it is critical that we extend to them the benefits they deserve.

One benefit for which we have had to fight is the extension of TRICARE coverage to all reservists. We have succeeded in getting this critical benefit for a year. We will, therefore, be revisiting this issue next year. I and like-minded colleagues remain advocates of extending such coverage to reservists.

As we asked our young citizens in the past, we are again today asking them to do extraordinary things, and we need to see that they have the proper care and assistance when they come home. There is no excuse for failing them.

We all remember that Veterans Day began as a commemoration of the Armistice which ended World War I, a catastrophic event which this body described as "the most destructive, sanguinary and far reaching war in human annals" to that point.

We pause and remember, and we again commit ourselves to honor and to stand by the veterans of the Great War and of all America's wars, past and present.

Mr. NELSON of Florida. Mr. President, I am proud to come to the floor of the Senate and join in solemn tribute to the millions of American men and women who have protected our freedom over the long history of our Republic.

Every American knows it is part of our national character to pay tribute to the service of those who have worn

the uniform of our Armed Forces to defend our way of life.

As a nation, we have dedicated this day to reflect upon the service and sacrifice of the many generations of Americans who have delivered and preserved for us a nation free and strong.

This Veterans Day is even more solemn and thoughtful for all Americans for we are a nation at war. Americans are fully aware that hundreds of thousands of their neighbors, son and daughters, husbands and wives, fathers and mothers are in harms way around the globe. Americans are fully aware that over four hundred service members have lost and continue to risk their lives in Iraq and Afghanistan while over 2,400 more have been wounded or injured. All Americans share the pain and sense of loss for those killed and those suffering from wounds. And Americans recognize and are ready for the many sacrifices that lie ahead. We are a resolute people determined to defend our liberty and bring peace and justice to a dangerous world. This determination is evident throughout our Army, Navy, Air Force, Marines, and Coast Guard.

I saw it myself when I visited soldiers of the Florida National Guard's 124th Infantry in Baghdad last summer. They are tough, well-trained, devoted citizen soldiers demonstrating their professionalism every day on the dangerous streets of a city that still quakes with war. These great soldiers are worthy of their legacy; they are worthy of our admiration and gratitude.

We must be worthy of them and keep the Nation's promises to them—our promise to attend to their welfare and the welfare of their families.

As Abraham Lincoln instructed us, ours is an obligation to, "to care for him who shall have borne the battle, and for his widow, and for his orphan." Too often we fall short on this care. We must meet this obligation with the same sense of determination and honor as our veterans' service is always rendered.

We have underfunded our veterans health care system and the backlog of claims remains unacceptably high. This is not right.

We have partially eliminated the disabled veterans tax, or Concurrent Receipt, but only for one-third of those entitled to both their retired pay and disability compensation. We have created among our retired veterans the "haves" and "have-nots" and this is simply not right. They are all worthy and deserve to have what they have been promised now without delay.

We have done nothing to improve our systems for caring for the survivors of veterans or retirees, especially those that were 100 percent disabled. The Department of Defense Survivor Benefits Plan remains uncorrected for offsets based on benefits from Social Security and Dependency and Indemnity Compensation—reductions in income in amounts and at times that widows often can least afford.

We, the Congress, must keep trying to do the right thing by these our greatest Americans.

The Nation continues to be truly blessed that our youth, our future generations, take inspiration from the devotion and sacrifice of those who have answered the Nation's call to arms in the past and those who defend us around a very dangerous world today.

Today we are reminded of where we have been as a nation, and upon whose sacrifice we have become what we are.

Let us rededicate ourselves to freedom and justice and peace—and the sacrifice of those men and women whose service will deliver and preserve them for America and our friends around the world. For this we are a stronger people, a stronger nation, and a stronger community.

Let us pray for the safety of our men and women in uniform past and present, and let us pray for the comfort of their loved ones.

Ms. COLLINS. Mr. President, once again we find our young men and women in harm's way in a foreign land. As they have so many times in our history, Americans in uniform carry the torch of freedom in their hands and the promise of peace in their hearts as they face those who would rule by tyranny and violence. On this Veterans Day, I rise not only to commend our veterans but also to recognize the men and women of the State of Maine engaged on the front lines in the Global War on Terrorism.

Maine is well represented by young men and women serving on active duty in our Army, Navy, Air Force, Marines, and Coast Guard. Since September 11, 2001, citizen-soldiers from across the State of Maine from all Reserve and Guard components have closed ranks with those on active duty to protect our shores and secure our future.

The men and women from Maine have left homes, jobs, and loved ones to answer the call to duty. Senior Master Sergeant Stephen Valley is among them. Steve, who hails from Millinocket, ME, left the active Air Force in 1994 after nearly eighteen years of service. In 1998, he joined the Air Force Reserve, and despite family challenges, including a father sick with Parkinson's disease, stepped forward and mobilized in November of 2001. Steve served nearly continuously in the Middle East since then, including duty in Iraq and Afghanistan, until he retired from active service on November 1. He is a man of courage and character. He represents the best we offer to a world longing for freedom and peace.

Mainers are deployed around the globe. Nearly twenty-five percent of the Maine Army National Guard is on alert, mobilized, or deployed. Maine National Guard soldiers are guarding prisoners at Guantanamo Naval Station in Cuba. Soldiers of Company E, 120th Aviation of Bangor are controlling air traffic in Afghanistan. Members of the 112th Air Ambulance Unit



from Bangor are performing medivac missions in Iraq. Soldiers of the 11-36 Transportation Company from Bangor and Sanford are moving supplies across Iraq and Kuwait. Soldiers from the 94th Military Police Company of Maine and New Hampshire are performing police missions across Iraq and are helping to train Iraqi forces to assume security responsibilities.

This past summer, I went to Iraq. I met hundreds of American and British troops. I saw people from Maine performing key roles in rebuilding the country after the fall of Saddam Hussein's brutal regime. In the city of Kirkuk, I ate lunch with five service members from Maine—Specialist Gregory Norster of Phillips, Chief Warrant Officer Brian Mucci of Shapleigh, Specialist Wayne Goodrich from Oakland, Specialist Erin Maynard from Washburn, and Senior Airman Bill Spreng from Ellsworth. The contributions of Mainers to bring freedom to the people of Iraq make me very proud.

The courage and commitment of the American and other coalition troops were strikingly clear during my visit. By night, many of the soldiers conduct raids on pockets of resistance; by day, they renovate schools, rebuild roads and utilities, and help Iraqis take their first steps toward democracy. Despite the continuing danger, the harsh living conditions, and the oppressive heat, morale among the soldiers and Marines I met was high. Army Sergeant Michael Levesque of Winslow put it best when he told me how proud he was to have "helped to give the Iraqi people a precious gift: their freedom." In Kirkuk, where I met Michael, morale was particularly high because the Iraqis there are so grateful. Everywhere we went in this city south of the Kurdish section, local citizens waved and called out "thank you, America!"

By contrast, conditions—both in July and today—remain hostile in and around Baghdad. Our troops face near daily ambushes and sniper attacks. The fighting goes on for many of our troops who must contend with the threat of rocket-propelled grenades, improvised explosive devices, and rogue gunmen.

Of all the places I have visited as a member of the Senate Armed Services Committee, including Afghanistan, Bosnia, Kosovo, and Korea, nowhere have I found the challenges more difficult and the dangers more present than in Iraq. In the end, the commitment of the Iraqi people will determine whether Iraq will prosper in peace and freedom, or succumb to a violent minority bent on division, destruction, and domination. The dedicated young men and women serving in uniform, from Maine and from all over America, are giving the Iraqi people the opportunity to seize what all humanity deserves and deserves.

On this day set aside to honor sacrifice, we must also honor the sacrifices made by the spouses, parents, children and other loved ones of our troops. The families left behind must

face the challenges of daily living as they suffer from the separation and from the relentless worry. The news of any casualty strikes a chilling chord in their hearts. Every death, every injury, is a blow to them as they wait, and hope, and pray.

In September, I met with family members of the deployed soldiers of the 94th Military Police company. These families have had to endure two extended deployments in three years: the 94th conducted a peacekeeping rotation to Bosnia that ended in 2001; in 2002, the 94th was called to arms again and is performing admirably in Iraq. The soldiers of the 94th are proud and professional and committed to getting the job done. Their families bear the burden of absence and uncertainty. Among them was Penny Mills, wife of Sergeant Curtis Mills of Shapleigh, ME.

Just one week later, soldiers of the 94th were ambushed in Iraq. Two were severely wounded: Specialist Christopher Kotch of Brunswick and Sergeant Curtis Mills. Soon after, I visited them at Walter Reed Army Medical Center. There was Penny, standing by her husband. We had no idea we would meet again—not so soon, not under those circumstances. Sergeant Mills, with the support of his wife and family, is recovering well. After reconstructive surgery and extensive physical therapy, he will one day return to work as a letter carrier. Specialist Kotch, after his recovery, will likely return to college and a life of possibility and promise.

In times of peace and in times of trial, we rely on our young men and women to step forward for our defense. The citizens of Maine have answered the call. America's first casualty in the War on Terrorism was Master SGT Evander Earl Andrews of Solon, ME, who lost his life in Qatar on October 10, 2001. Today, in Litchfield, ME, a father grieves for his daughter, Army Warrant Officer Sharon Swartworth, who miraculously survived the attack on the Pentagon two years ago but who did not survive an attack on a Black Hawk helicopter in Iraq last Friday. These are but two of the soldiers who died not just in the service of their country, but also in the service of mankind. They did so on behalf of millions of people they did not know—innocent Iraqis, Afghans, and Americans who died on 9-11, and all peace-loving people everywhere.

Our service members and veterans—whether they served in World War I or II, Korea, Vietnam, Haiti, Kosovo, Bosnia, Kuwait, or now in Afghanistan or Iraq—share a common bond: their uniform is not that of a conqueror, but of a liberator. We can never fully pay the debt we owe those who put their lives on the line to advance the cause of freedom.

Nor can we repay the debt we owe those families and loved ones they leave behind. The enormity of that debt was best summed up one-hundred thirty-nine years ago in a President's letter to a mother who lost five sons in

the war to preserve this Nation. I will close with the words of Abraham Lincoln:

I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering you the consolation that may be found in the thanks of the Republic they died to save.

I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Mr. ROCKEFELLER. Mr. President, today, I had hoped to be in Sutton, WV to fully celebrate Veterans Day with West Virginia veterans and their families. Since the Senate is in session, I must be in Washington, but I do want to recognize some of our Nation's finest men and women who have served to protect that which we hold most dear, our very freedom.

Last weekend, I was in West Virginia and I had the chance to talk with Army Sergeant Jared Welker of Putnam County. Sergeant Welker is a tank gunner who saw considerable action in Iraq, and who has just recently returned home. I had the privilege to spend a few hours with this young soldier. Hearing about the war in Iraq from his point of view, a young man serving in a tank division entering Baghdad, made me very proud of the men and women serving in the military—where ever they are stationed. Sergeant Welker's description of his days in Iraq will stay with me. His courage and his commitment to duty are truly inspiring.

And it is also a sobering reminder of the obligations that we in Congress have to fully support our troops in the field, and at home, and as veterans later in their lives.

On Veterans Day, we should take time to pay our respect to those who put their lives on the line and sacrificed in our defense. We have a duty to honor all veterans in both word and deed.

We honor them by remembering their courage, their loyalty, and their love of country. My State has one of the strongest traditions of military service, and I could not be more proud of that. When the call has come to defend this Nation, West Virginians have answered in great numbers. In a State as patriotic as our Mountain State, reminders of our veterans, heroes and heroines, are everywhere. They stand as a reminder of the battles fought defending the principles of democracy.

Understanding the sense of patriotism of the people of West Virginia is what caused me to seek a seat on the Senate Committee on Veterans' Affairs the day I arrived in the Senate 19 years ago. Joining the committee was one of the best decisions I ever made.

These last few weeks in Congress have been extremely important ones for our Nation's veterans. One of the most important issues of concern today

is the President's budget request for the Department of Veterans Affairs for fiscal year 2004. Everything provided by VA will be a direct result of the proposed budget now before Congress. Regrettably, the President's budget request for VA health care for fiscal year 2004 will barely cover the cost of inflation at our VA Medical Centers, but there is still time to fix those misplaced priorities.

Full funding is needed for a health care system that is besieged with responsibilities. I am fighting, along with a number of my Senate colleagues, to get an additional \$1.8 billion appropriated for VA health care before Congress recesses this year.

In addition to our veterans who depend upon VA for their health care and prescription drugs today, current law allows members of the military, who serve during an armed conflict, to use VA upon their return. This includes currently deployed Reservists and National Guardsmen, who are such a big part of West Virginia's contribution to our war effort. The system must be adequately funded for all these veterans.

Another critical issue of concern continues to be long-term care for veterans. As our veteran population grows older, VA must make sure that it can meet the need for long-term care. A bill I introduced earlier this year extending, for five years, the congressional mandate requiring VA to provide long-term care for veterans through both nursing homes and community-based options still has potential to be enacted this year. This is extremely important legislation, and I will continue to push until this become law. If I cannot convince my colleagues to act this year, I will be right back next year fighting for it until it is done.

I was thrilled to be in Clarksburg last month for the ground breaking of our new State veterans' home, which will be built adjacent to the Clarksburg VA Medical Center. I have worked closely with both State and Federal officials on this project over the last several years, and I am very proud of everyone who has been involved in making this much needed nursing home a reality. It is time that West Virginia had a State veterans' nursing home.

In closing, I would like to read a paragraph from a letter found in the gear of a 20-year-old boy from Beckley serving during World War II. I think it is appropriate on this Veterans Day.

Private First Class Walter Walker was killed in battle in 1944 and he had written a letter to be delivered to his parents in case of his death.

He wrote:

Frankly I think I will come back, but you never can tell what little accident will happen. I am doing this for my country and people I love. So that little children may grow up to be free and not have to take orders from devils like Hitler and Tojo. I will gladly give my life to keep you and dad free as long as you may live.

Private Walker was a hero of WWII.

Sergeant Welker, and the more than 100,000 brave men and women serving today, are the heroes of Iraq.

Today, we honor all our young men and women who have paid the ultimate sacrifice for freedom, and all those who have served in our military. We need to remember to stand proud when we see the American flag waving high in the air, and nod our heads in respect when we pass by a veterans' cemetery. We need to remember that behind each of these symbols of America are the people who have made them so remarkable—our Nation's veterans.

Mr. GRASSLEY. Mr. President, I rise to honor this day and the men and women for whom it was established. On the eleventh hour of the eleventh day of the eleventh month of 1918, the armistice was signed ending the first modern global conflict.

World War I was an exceptionally bloody conflict that required tremendous sacrifices. It was therefore appropriate for President Wilson to establish Armistice Day as a time to recognize those who served in that war.

Unfortunately, the hope for a new, more peaceful world after the Great War was shattered as we found ourselves embroiled in a life or death struggle against tyranny. Americans again rose to the challenge. Over 405,000 American soldiers lost their lives and over 671,000 were wounded. That's over three times the casualties of World War I. Still, the bravery and sacrifice of our men and women in uniform showed the world the extent to which the United States of America was prepared to go to preserve liberty.

Then, after our soldiers and sailors were called upon again to fight aggression in Korea, it became evident that it was necessary to set aside a day to recognize all American veterans. To encourage Americans to pay respects to all those who have served in America's Armed Forces, President Eisenhower signed into law a proclamation in 1954 changing the name of the November 11 holiday to Veterans Day.

Today, we thank all those who have risked life and limb in service to their country, including those who served in Vietnam and the Persian Gulf war, as well as Somalia, Bosnia, Kosovo, and other smaller conflicts. It is particularly appropriate today to pay tribute to the new generation of veterans who are serving their country so bravely in the global war on terrorism.

Americans have never hesitated to answer the call of duty and this generation is no exception. America continues to owe an immeasurable debt of gratitude to the brave men and women who respond to the call of duty. Following in the footsteps of those who served in the 20th century, our men and women in uniform are living up to a heritage of service, loyalty, honor, sacrifice, and patriotism passed down for generations.

Members of the active duty military, National Guard, and Reserves selflessly put their country first. They serve to

protect the American people, defend national security, preserve freedom and safeguard our way of life.

This Veterans Day, let's remember the patriots who are putting their lives on hold while they put their lives on the line. Their sacrifices guarantee America's promise for generations to come. Hundreds of thousands of Americans have paid the ultimate sacrifice while serving in the Armed Forces. Their irreplaceable loss of life reminds us that freedom isn't free.

It is important for younger generations to appreciate the service and sacrifice made by those serving their country. Awareness and appreciation for veterans has decreased in recent times as fewer individuals and families in America have a personal connection with the Armed Forces.

Now that family members, friends, neighbors, and other fellow citizens are again putting themselves in harm's way in service to their country, I hope all Americans will take the opportunity this Veterans Day to remember and honor all veterans, to whom we owe our freedom.

Today I salute the patriotism, courage, and sacrifice of all American veterans who have answered their country's call in times of need.

Mr. LEAHY. Mr. President, as I was watching the sunrise this morning, I thought of the men and women currently serving in Iraq and Afghanistan, and our Nation's veterans of past wars.

Today, we must remember those who have sacrificed to defend the freedoms and ideals all Americans enjoy. In our thoughts are not just the proud Americans who are fighting in Iraq and Afghanistan today, nor just the members of the "Greatest Generation" who fought in World War II. We think about those who lost their lives or served in the extended Cold War, the Korean War, Vietnam or who gave their lives in some of the less-known engagements across the globe aimed at preserving our country and preserving basic human rights throughout the world.

Of course, most in our minds right now are 130,000 men and women serving in Iraq. Over 30,000 of these troops are reservists who left their civilian jobs and families to serve in Iraq with pride and determination. Whether Active-Duty soldiers or Reserves, every single person in the military is there because they want to be there, and we owe them a special kind of gratitude for their service.

Today we should not just think about our veterans, but also address policies that will directly address their needs, whether they are still in the service or after they have returned. We must come together as a Senate to ensure that we honor that unspoken social contract with our active troops, guaranteeing superb quality-of-life programs exist for our active service members and their families and that they will never become forgotten soldiers of history.

Let's come behind our citizen soldiers of the Guard and Reserve to ensure they and their families are as healthy as possible. And, above all, let's make sure our veterans have a flourishing medical program to ensure they receive the high-quality care they deserve.

On this time-honored day, we express our gratitude to our veterans, we remember their courage and dedication, and we act to make up a small part of the large debt we owe them.

Mr. McCAIN. Mr. President, today I wish to pay my respects to my fellow veterans. It is only through the leadership, dedication and sacrifice of our men and women in uniform, that we are able to enjoy the freedoms that being an American entails.

No matter what your views on the war on terror or the war in Iraq, all Americans can unite behind our brave men and women in uniform. These fine Americans have truly answered our Nation's highest calling and we are better off for it. Today is a day to give thanks to these heroes.

On Veterans Day, I like to share the story of one of my heroes during my service, Mike Christian. I have shared his story before and it has become familiar to many, yet it bears repeating. This year, as Americans serve across the globe in important battles against error and tyranny, Mike Christian's story takes on even more meaning. In the same manner as service in Vietnam, a new generation of heroes is emerging in Iraq.

In the early years of our imprisonment in Hanoi, the North Vietnamese kept us in solitary confinement, or if we were fortunate, two or three to a cell. In 1971, the North Vietnamese moved us from these conditions of isolation into large cells with as many as 30 to 40 men to a room. This was, as you can imagine, a wonderful chance. And was a direct result of the efforts of millions of Americans, led by people like Nancy and Ronald Reagan, on behalf of a few hundreds POWs, 20,000 miles from home.

One of the men who moved into my cell was Mike Christian. Mike came from a small town near Selma, AL. He didn't wear a pair of shoes until he was 13 years old. At 17, he enlisted in the U.S. Navy. He later earned a commission. He became a naval aviator, was shot down and captured in 1967. Mike had a keen and deep appreciation for the opportunities this country—and our military—provide for people who want to work and want to succeed.

The uniforms we wore in prison consisted of a blue short-sleeved shirt, trousers that looked like pajama trousers and rubber sandals that were made out of automobile tires. I recommend them highly; one pair lasted my entire stay.

As part of the change in treatment, the Vietnamese allowed some prisoners to receive packages from home. In some of these packages were handkerchiefs, scarves, and other items of

clothing. Mike got himself a piece of white cloth and a piece of red cloth and fashioned himself a bamboo needle. Over a period of a couple, of months, he sewed the American flag on the inside of his shirt.

Every afternoon, before we had a bowl of soup, we would hang Mike's shirt on the wall or our cell, and say the Pledge of Allegiance. I know that saying the Pledge of Allegiance may not seem the most important or meaningful part of our day now, but I can assure you that—for those men in the stark prison cell—it was indeed the most important and meaningful event of our day.

Our day, the Vietnamese searched our cell and discovered Mike's shirt with the flag sewn inside, and removed it. That evening they returned, opened the door of the cell, called for Mike Christian to come out, closed the door of the cell, and for the benefit of all of us, beat Mike Christian severely for the next couple of hours.

Then they opened the door of the cell and threw him back inside. He was not in good shape. We tried to comfort and take care of him as well as we could. The cell in which we lived had a concrete slab in the middle on which we slept. Four naked light bulbs in each corner of the room.

After things quieted down, I went to lie down to go to sleep. As I did, I happened to look in the corner of the room. Sitting there beneath that dim light bulb, with a piece of white cloth, a piece of red cloth, another shirt and his bamboo needle, was my friend, Mike Christian. Sitting there, with his eyes almost shut from his beating, making another American Flag. He was not making the flag because it made Mike Christian feel better. He was making the flag because he knew how important it was for us to be able to pledge our allegiance to our flag and country.

Duty, Honor, Country. We must never forget the millions of Americans who, with their courage, with their sacrifice, and with their lives, made those words live for all of us.

This year, as we pause to remember those men and women currently serving their country, as well as our family and friends who serve before us, we need to remember the sacrifices of people like Mike Christian who made this Nation what it is today.

Mr. KENNEDY. Mr. President, America today has the most powerful, most capable and best-equipped military in the history of the world. But none of this would be possible without the brave men and women who volunteer to serve in the Armed Forces, who accept any challenge and face any danger to protect their country on battlefields around the world. Each of them is a volunteer—no conscription, no draft. They have a genuine desire to serve, and they do so with great sacrifice with great honor, great courage, great commitment, and often with great sacrifice.

Time and again, our Nation has called its sons and daughters to put themselves in harm's way, and many bear the scars of battle forever. Despite the rhetoric of praise that we hear again and again, too often when their service ends, these veterans are forgotten, except on Veterans Day. We have consistently underfunded the veterans' health care system. The Veterans' Administration is now preparing plans to close veterans' hospitals in New England and across the Nation. They oppose allowing disabled veterans to receive disability benefits if they also receive military retirement compensation.

As troops continue to serve in Iraq, we need to make sure we can take care of them and their families, especially when they return home. We have a solemn responsibility to those who are willing to sacrifice so much. We do them a grave injustice when they return home to be cast aside. Today, tens of thousands of newly discharged veterans are unemployed. National Guard and Reserve soldiers face lower wages and possible job loss while they are deployed. The Uniformed Services Employment and Reemployment Rights Act, USERRA, protects soldiers from employment discrimination, but service members can have difficulty enforcing their rights.

We can't have any more situations like the one at Fort Stewart, where Guard and Reserve troops were housed in deplorable accommodations, with unacceptable access to health care and needed services to heal their injuries. Such neglect is no way for a grateful Nation to honor its armed services. We can and we must do better.

For generations, we have honored our fallen veterans on November 11 each year. The Armistice Agreement that ended the First World War was signed on this historic day in 1918—the eleventh hour of the eleventh day of the eleventh month that year. Many of those we honor today have fallen in battle in Iraq.

Last week, I attended the funeral service of a Massachusetts soldier who gave his life in combat there and was laid to rest in Arlington National Cemetery. It was a beautiful fall day and the military ceremony was conducted with solemn dignity and utmost reverence. It was a very moving moment to be there with his family and friends and veterans of his unit. His parents have lost a son, and the Nation has lost a hero. As the bugler played taps, and the sounds of the rifle volleys from a final salute faded across the Arlington hills, it was moving to see that the veterans there had also lost a brother, although none of them knew the fallen soldier personally. The brave paratrooper who had tried to carry his dying comrade to safety during the attack was also there. His silent presence spoke volumes about the valor and dedication that our service members give to our Nation every day, and have given us throughout our history ever

since that day at Concord Bridge, when the embattled farmers stood and fired the shot heard 'round the world.

On Veterans Day 2003, we thank our veterans. We remember those who have given the last full measure of devotion to our country, and we affirm our support for all who now wear the uniforms of our armed forces. We give thanks to all who have served America so well in years gone by, and to all the brave men and women serving now in the ongoing war against terrorism. And we pledge, in words that too often pass and are soon forgotten, to do a better job of meeting our responsibility to them every day, not just on each November 11. May God give us the strength to make each day a Veterans Day.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to add five additional minutes on each side.

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

Mrs. MURRAY. Mr. President, on this Veterans Day, I want to share a few ideas about the meaning this day holds for my family and for thousands of families throughout Washington State.

Today is a day to honor the sacrifices that generations of Americans have made to defend our country and to support freedom throughout the world. It is a day to reflect on the courage and bravery of our soldiers. And it is made even more special as we think of all our military personnel who are deployed in Iraq, Afghanistan and other hostile environments. But it is much more than that.

It is a day to make sure that we are living up to the promise we make to all veterans—a promise that President Lincoln described as:

... to care for him who shall have borne the battle, and for his widow and his orphan.

Today throughout Washington State, people are coming together to honor our veterans at places such as the Tahoma National Cemetery, the Washington Veterans Home, and in communities large and small. Washington State is home to almost 700,000 veterans, and every day I am honored to represent them in the United States Senate.

Growing up, I saw firsthand the many ways that military service can affect both veterans and their families.

My father served in World War II. He was among the first soldiers to land on Okinawa. He came home as a disabled veteran and was awarded the Purple Heart. I should note that, like many soldiers of his generation, my father did not talk about his experiences during the war. In fact, we only really learned about them by reading his journals after he passed away.

And I think that experience offers a larger lesson about veterans in general. They are reluctant to call attention to their service, and they are reluctant to ask for help. That's why we have to

publicly recognize their sacrifices and contributions. It is up to us to make sure that they get the recognition they have earned—and not just on Veterans Day. It is one of the reasons why a few years ago I worked to ensure that all veterans could get the military funeral honors. My father had them, and they meant a great deal to our family.

I was proud to introduce legislation and to work with the VA and veterans service organizations to ensure that any family that requests military funeral honors can get them.

In addition to my own family experiences, when I was a senior in college at Washington State University, I spent a semester interning at the Seattle Veterans Hospital, helping to treat young soldiers returning from Vietnam. They were my age at the time. I will never forget the sound of the door locking behind me after walking on to the hospital's psychiatric ward to spend the day with these heroes. While these combat veterans were my age, they had endured experiences most of us could never imagine.

Today, as I see an administration that is considering closing veterans hospitals in Washington State—even as today's veterans have to wait 6 months just to see a doctor, and as the war in Iraq adds to the number of veterans who will need medical care—I get upset, and I fight with everything I have. Our veterans have already fought for our country, they should not have to fight to get the healthcare or benefits they were promised, so we've got to fight on their behalf.

Today we must ask, Are we keeping our promise to America's veterans? Here are some facts to help us answer that question.

Fact: Right now, 80,000 veterans are waiting 6 months or longer for an appointment at VA hospitals.

Fact: For the past 2 years, an average of 14,000 veterans have been waiting more than 15 months for their "expedited" disability claims to be finalized.

Fact: Veterans could face new fees and higher co-payments—just to get the healthcare they are already entitled to.

Fact: Each year in Congress there is a debate over how much money we should spend on veterans' healthcare. Too often, our veterans lose out to other budget priorities.

Fact: Disabled veterans pay a high penalty through what is called the "Disabled Veterans Tax." They must give up a dollar of their pension for every dollar of disability pay they receive.

Fact: The VA is looking to "reconfigure" veterans' health care and is now studying the closure of two VA facilities in Washington State.

And finally, the war in Iraq—and the tremendous toll it is taking on our soldiers—is increasing the number of veterans who will need medical care for years down the road.

Those are all facts. To me, they show that we are coming up short in keeping

our promise to America's veterans. So what can we do about it?

Simply put, we need to make veterans services a priority once again. No. 1, to cut down on the long waits that veterans endure; to help expedite claims; and to avoid higher fees and co-payments. We need to increase funding for veterans services.

To end the annual appropriations game, we should make VA healthcare funding mandatory. That is why I support the Veterans' Health Care Funding Guarantee Act. It would make veterans' healthcare an automatic priority for our Nation.

The VFW, AMVETS, the Disabled American Veterans and many other veterans groups strongly support this bill.

We must also make sure that the Department of Veterans Affairs does not close critical medical facilities at a time when more are seeking VA healthcare.

In addition, we must end the disabled veterans tax and ensure that veterans are not penalized just because they receive disability pay.

I am proud to be a cosponsor of a plan that would authorize full payment of both retirement pay and disability compensation to half a million disabled military retirees. And unlike other proposals, our plan would take effect immediately, instead of over 10 years.

And finally, we have to do right by today's veterans and by tomorrow's veterans. The brave men and women who are serving in Iraq and Afghanistan today will need our help when they return home. How we treat them will send a signal to a generation of young people who may be considering military service.

We have to keep our promise today and tomorrow.

So while we are currently coming up short, I am going to keep pushing for the solutions that will truly serve our veterans. America's veterans have earned our respect, and they have earned the benefits they were promised when they signed up. They should not have to fight for the care and support they were promised.

On this day—and every day that I am given the honor of representing them—I will stand up and fight for Washington's veterans and the freedom and security they have given us through their sacrifices in war and peace.

I hope we keep our promise.

Thank you, Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. PRYOR. Mr. President, how much time remains on the Democratic side?

The PRESIDING OFFICER. Sixteen minutes 30 seconds.

Mr. PRYOR. Mr. President, I ask unanimous consent to speak for 10 minutes.

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

Mr. PRYOR. Mr. President, I rise today in honor of Veterans Day, our

national day of remembrance established to solemnly honor the sacrifices of American men and women who have served in military actions in behalf of our country.

We recognize these men and women for preserving our liberty, freedoms and democratic way of life. For me, as a first-year Senator representing the men and women of Arkansas, this is an especially noteworthy Veterans Day. Since September 11th, numerous Arkansans have engaged in our battle against terrorism, serving in Afghanistan and other points abroad. This fall, over 3,000 men and women of Arkansas, members of our 39th Infantry Brigade of the Arkansas National Guard, are preparing to travel to Iraq in support of Operation Iraqi Freedom.

Every day my prayers include the brave men and women of Arkansas who serve, and have served, in our armed forces. I pray that every single one of our brave Americans in uniform will return safely home to the loving arms of their families.

Sadly, many of our veterans have not returned safely home. Many of our veterans have paid the ultimate price, sacrificing their lives on the altar of freedom. We must never forget their sacrifices. We must never forget the cost of freedom paid by our veterans.

As he gazed on the battlefield at Gettysburg in 1863, Abraham Lincoln uttered, "The brave men, living and dead, who struggled here, have consecrated it, above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here."

I am in a similar situation today, unable to articulate anything which even comes close to capturing the debt of gratitude each and every one of us owes our veterans. No words can capture my gratitude, or the gratitude of Arkansas, towards our veterans.

Yet, as I mentioned, Veterans Day is a day of remembrance. This is a day to honor and remember those who have served in our armed service. Last week, I had the distinct pleasure and unique opportunity to talk with Johnnie "Chick" Matthews. Chick, at 102 years old, is Arkansas's oldest living veteran.

Mr. Johnnie "Chick" Matthews, a resident of Greenbrier, Arkansas, first answered the call to duty to serve this country in 1917. That was 86 years ago.

He was given the nickname Chick because he enlisted into the United States Army when he was only 16 years old. He was the youngest at his training facility at Camp Pike, AR.

His mother was a widow with mouths to feed and he realized that he needed to help shoulder the financial responsibilities of caring for his mother and brothers.

He went to Little Rock to enlist in the Army. He lied about his age. The recruiter said: We are not sure we believe you, so go home and get your mother to sign this document. When he went back home, he was scared to take

it to his mother because he was afraid she would not sign the age waiver so he went to a neighbor woman and said: Mother hurt her hand and she cannot sign this. Can you sign this on her behalf? She did, and he was enlisted in the U.S. Army.

At the age of 16, he was the youngest soldier in his unit, probably one of the youngest in the Army. But when it was all said and done, as he ended his military career, Chick had completed 46 years of military service spanning World War I through Vietnam. That is truly remarkable. In addition, he served in four branches—the Army, Navy, Coast Guard, and the Merchant Marine.

When I talked to Chick, I was entertained and captivated by his stories, but most of all I was impressed by his sense of duty. In fact, when I asked him if he would recommend military service to others, he said: If they would let me in, I would be there tomorrow morning to sign up.

In addition to Chick Matthews, I recognize another veteran who is a bit younger, but no less committed, to his country and to the State of Arkansas. Randy Massanelli is a native Arkansan who dutifully served in the U.S. Army for 15 years. While in the Army, he rose to the rank of major and served in Desert Storm where he was awarded the Bronze Star. Now he serves as my State director in Little Rock. I am grateful for the knowledge, experience, and perspective he brings to the office as I work to do what is best, not just for veterans and the troops around the country and around the world, but also for the people of Arkansas.

I have known Randy since we were both at the University of Arkansas as undergraduates. I thank him today. He has shown me time and time again what true devotion to his country really is. I am lucky to have him on my team and I am proud to call him a friend. I honor him today as a great veteran.

Last, I want to recognize another veteran on my staff, Wayne Palmer, who also served in Desert Storm. Wayne is a tremendous asset to my office. I thank him for his service to our country.

Arkansans throughout the years have followed Chick's, Wayne's, and Randy's lead. I am proud to boast about my State's tradition of military service. As veterans continue to risk life and limb for us, I will work as hard as I can to make sure they are taken care of before, during, and after their mission is completed.

In the coming days, we will vote on the Defense authorization conference report. As a conferee, I was proud to work on this legislation, which includes a 3.7 percent across-the-board military pay increase, expands TRICARE coverage for the Guard and Reserve personnel and their families, and provides benefits and programs to improve the overall quality of the pay for our service men and women.

This legislation also authorizes disabled military retirees to collect their retirement pay and disability compensation, otherwise known as concurrent receipt. This measure would benefit millions of Americans who have served our country for years but have been prohibited from receiving both retirement compensation and VA disability benefits.

Correcting this inequity for our veterans is long overdue—in fact, 110 years overdue. I made a promise to take care of our service men and women who put their lives on the line for our country. This provision indicates Congress's intention to finally honor its word.

I am also looking forward to debating the VA/HUD appropriations bill where I have an understanding we will be looking to add \$1.3 billion to veterans health care. We cannot discount the importance of this funding, especially as more veterans come home from Afghanistan and Iraq and the global world on terrorism. We must ensure that the Veterans' Administration has the resources it needs to look after those men and women who look after us.

Mostly, this Veterans Day fills me with a sense of security and pride because of my faith in the ability and skills of our men and women in uniform. This faith nourishes my hope for a peaceful future for my children and the children of Arkansas.

I know our men and women in uniform are the most capable fighting force on Earth. I know these individuals will willingly endure personal sacrifice and danger to defend our democratic values, just as our veterans of yesteryear endured personal sacrifice and danger to provide us the freedom and democracy we enjoy today. I know our Armed Forces will be victorious in their mission.

On this Veterans Day, I extend my gratitude and the gratitude of every Arkansan to our veterans and their families.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask what the allocation of time is.

The PRESIDING OFFICER. There are 7 minutes 54 seconds on the Democratic side and 5 minutes on the Republican side.

Mrs. HUTCHISON. Mr. President, let me ask the Democratic Senator in the Chamber if that is enough time for them to finish. We need to be through at 12:15.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Texas for making the inquiry. The fact is I need about 10 minutes and the Senator from North Dakota needs 5 minutes. If that could be accommodated on an equal exchange basis, I suggest we ask unanimous consent to do so.

Mrs. HUTCHISON. How much more would that extend the time on the other side? How much more time would

that give us if we equally divided that, our 5 minutes plus the extra?

The PRESIDING OFFICER. That would be an extra 8 minutes on the Democratic side and a total of 28 minutes.

Mr. SPECTER. Mr. President, if this is a unanimous consent request for more time, I would like to accommodate my colleagues. I have come to the floor with the expectation to speak at noon, which it is now, on the Syria Accountability Act, and actually I had some time on veterans as well. I have other commitments, such as, to go to the White House for the bill signing ceremony with the President.

So I am glad to accommodate my colleagues, but if it is going to run for 28 more minutes, that is going to preclude my speaking on the Syria Accountability Act.

Mrs. HUTCHISON. Mr. President, I do not think we need 28 minutes. I was going to ask for 5 minutes for the Senator from Alabama, which we have left on our side. I think if you wanted—

Mr. LAUTENBERG. Fifteen.

Mrs. HUTCHISON. Fifteen?

Mr. LAUTENBERG. Right. I appreciate the fact the Senator from Pennsylvania has other obligations, but this is Veterans Day. I want to talk about veterans. I think we have that particular obligation since we are here today and we are not in our home States, able to visit veterans, visit cemeteries, and talk to people about veterans.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SPECTER. Mr. President, reserving—

Mrs. HUTCHISON. Mr. President, if I could ask a unanimous consent request and see if this is what people want: that there be 15 minutes divided on the Democratic side as they wish and 5 minutes to the Senator from Alabama, for a total of 20 minutes from now. Is that an acceptable unanimous consent request to all on the floor?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Texas.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I ask that I be reminded at the 9-minute mark, if I have gotten that far, please, that I have 1 minute remaining.

I was in Newark yesterday, at our cathedral there, attending the funeral of SGT Joel Perez. Sergeant Perez had been deployed to Iraq as part of the Army's 2nd Battalion, 5th Field Artillery Regiment. He died on November 2 when the Chinook helicopter he was in was shot down. An article appeared in the New York Times on Sunday, and it listed the 16 soldiers, including Sergeant Perez, the 16 young people who perished on behalf of our country, our interests, our liberty.

The names of those who died along with Joel Perez when that Chinook heli-

copter was shot down are: Daniel A. Bader, Ernest G. Bucklew, Steven D. Conover, Anthony D. D'Agostino, Paul F. Fisher, Darius T. Jennings, Karina S. Lau, Keelan L. Moss, Brian H. Penisten, Ross A. Pennanen, Brian D. Slavenas, Bruce A. Smith, Frances M. Vega, Paul Anthony Velazquez, and Joe N. Wilson.

We salute their bravery and their courage and their sacrifice.

Sergeant Perez was on that helicopter because he had been granted leave to come home to celebrate his third wedding anniversary. And now he has come home, in a flag-draped casket. Yesterday was his third anniversary and his funeral. He was 25 years old. He leaves behind his wife Milagros, an infant daughter Jaileen, his mother Luisa and father Edwin, and three brothers, Elvin, Michael, and Leo.

As I said at the funeral yesterday, it is a sobering moment when you see the reality of a life that has passed so quickly. All you have to do is look at the date of his birth—1978—and the date of his death—2003—they are much too close together.

Sergeant Perez is the ninth New Jersey resident killed in Iraq. The other eight are: Army SP Simeon Hunte, who was 23 years old, of Newark; Army 2LT Richard Torres, who was 25 years old, of Passaic; Army SFC Gladimir Philippe, who was 37 years old, of Roselle; Army SP Kyle A. Griffin, who was 20, of Emerson; Army SP Narson B. Sullivan, who was 21, of North Brunswick; Army SP Gil Mercado, who was 25, of Paterson, my home town; Army SSG Terry W. Hemingway, who was 39, of Willingboro; and Army SP Michael Edward Curtin, who was 23, of Howell.

I feel a special kinship to these young people because they were from my State. I also feel a special kinship because I am a veteran. I enlisted when I was 18 years old, right out of high school. I served in Europe during World War II.

Today is Veterans Day. It has been nearly 50 years since President Eisenhower signed a bill into law making November 11 Veterans Day.

The history of Veterans Day goes back even further, to 1918, when an armistice between the Allied and Central Powers brought World War I to an end at the 11th hour of the 11th day of the 11th month.

On November 11, 1920, the British interred an unidentified British soldier in Westminster Abbey to commemorate the Armistice. The French interred an unidentified French soldier under the Arc de Triomphe in Paris.

In 1921, an American soldier's remains were disinterred in France and sent on the transatlantic voyage to Washington, D.C., where they lay in state in the Capitol Rotunda for three days. Then, at 11:00 a.m. on November 11, the remains of this Unknown Soldier were buried at Arlington National Cemetery beneath a marble block which reads, "Here rests in honored glory an American soldier known but to God."

Since the founding of our country, nearly 50 million men and women have answered the call of duty. There are about 25 million veterans alive today.

Right now, we have 130,000 troops in Iraq, another 10,000 in Kuwait, and 10,000 in Afghanistan. Other Americans are serving in South Korea, in Bosnia and Kosovo, and in every other corner of the globe.

We owe our veterans and the brave young men and women who currently serve in our military more than we can calculate. It is very tough duty. I know that from personal experience. That is why I deeply regret that the Senate is in session today. I do not ever recall the Senate being in session on Veterans Day before. Frankly, I think it is disrespectful to veterans across America and to the veterans in this body for the Senate to be in session today.

Why are we doing it? Why are we here? Well, we are told that we have a full agenda and that we have very few days left to get our work done—work that was supposed to be done six weeks ago. But how are we going to spend the precious few days before we hope to adjourn? We are going to take 30 hours of that time to debate a handful of highly controversial judges whose nominations Democrats object to.

I feel compelled to put this chart up on the floor for everyone to see because it is kind of a scorecard that shows the Clinton years and how many nominees were confirmed in those years and the dozens of nominees who were blocked by the Republicans. Then we can see how many of President Bush's nominees have been confirmed and how many have been blocked by Democrats.

Democrats are objecting to a total of four nominees who have neither the experience nor the temperament to be confirmed to lifetime positions in the federal judiciary. Four nominees have been blocked, 2 percent of the total. And we are being told that we cannot afford the time today to be at home with our veterans or go to the cemeteries or go to the veterans hospitals so that we can pay our respects to those who have served or are serving this country. We cannot be with our veterans today because we have to spend 30 hours starting tomorrow to talk about four nominees.

So, in all candor, I have to say that I am upset by our being here. It is not the question of another day's work—we can do the work—but that the majority could not find time to permit Senators to be in their States with their constituents, especially veterans, with the families who have lost loved ones in Iraq or Afghanistan or Beirut or Vietnam or Korea or so many other places.

When I look at the reason why we are here today, it rings hollow, as far as I am concerned. I regret that we are here. This is the day we should meet with veterans groups. This is the day when we remember the sacrifice that so many have made on our behalf. This is the day we ought to be thinking about how we respond to our need for

additional troops in Iraq. This is the day we ought to think about what it is our brave young service men and women should come home to when they have fulfilled their duty: adequate health care and jobs and opportunity.

What kind of a message do we send to our veterans and to those who currently serve in our military? What kind of message do we send to the young men and women we are trying to recruit? Today is a solemn day deliberately set aside to pay tribute to our veterans, and the Senate is in session because we have to spend a day and a half starting tomorrow talking about four judges.

I want the veterans across the country and the young men and women currently in harm's way to know they are appreciated, to know that some of the misery they are going through now is understood. How do you do that? Ideally, you do that by taking the time necessary to go and greet them personally. You do it by making sure veterans' benefits are adequate. You do it by making sure the medical care will be there, and the educational opportunities. That is the appropriate way to show our veterans that we appreciate them. We are not going to show it by working here today when, in fact, the veterans back home would like to see us back home.

Be that as it may, we are stuck here today. So I want to take this opportunity to say in the most heartfelt way possible that I appreciate our veterans. And I salute the brave young men and women who currently serve, especially those who serve in the Reserves and the National Guard. I appreciate the enormous, enormous sacrifice that many of them are making now that we are asking them to serve a year or more at a time, taking them away from their families, their communities, and their jobs. Today reminds us of just how much we have to be thankful for.

Mr. President, I yield the remainder of the time we have to our friend from North Dakota.

Mr. DORGAN. The Senator from Texas just inquired whether the Senator from Alabama might go next. I understand I have 5 minutes remaining; is that correct?

The PRESIDING OFFICER. Six and a half minutes.

Mr. DORGAN. I would be happy to have the Senator from Alabama finish his remarks which are 5 minutes. I will take 5 minutes, and then we will finish.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from North Dakota and appreciate his courtesy. I don't think veterans are going to be unhappy we are here working today. They might have been happy to see the scene yesterday when we should have been able to make progress on a number of things, and we had the assistant Democratic leader speaking 8 hours plus and reading from a book about cactus and rabbits. They might be unhappy about that.

We have soldiers in the field this very day at risk, carrying out the policy of this Senate, this Congress, that we passed by over a three-fourths vote. We ought to be here talking about our country and doing some of the country's business.

In fact, I was in Walter Reed Hospital this morning. I had the honor to meet with the service men and women who have been injured, some fairly seriously, in the service of their country.

I met with Sergeant Larry Gill who grew up in Mobile, AL, went to Murphy High School where my daughter went. I knew his father, Lieutenant James Gill, in the Mobile police department, a great officer. Larry Gill had a severe injury to his lower leg. He has been there over a month now. It is getting better. He was so optimistic. It was so wonderful to see his wife Leah who is a school teacher at Murphy High School, and his two children, Sean and Ryan, and be able to talk with them and see the positive attitude he had, the commitment to serving his country. It was so inspiring. Larry Gill in 1983 was a young Marine serving in Beirut, Lebanon when that embassy was attacked, guarding the embassy as a marine, as he was often called upon to do. He was knocked unconscious and had to be dug out from the rubble of the attack. He was a victim of terrorism in 1983. Now he comes back as part of our war on terrorism and is injured again.

As he said, he thought he ought to start collecting baseball cards rather than Purple Hearts. That just is an example of his spirit.

At the time he was injured, he was part of a National Guard unit from Alabama, the 1165th MP company. SPC Chris Harris and SGT Richard Barns and SPC4 Jose Garcia were injured.

I see Senator LAUTENBERG here.

SPC4 Garcia, from New Jersey, was assigned to the unit. He was injured, and he refused to go home; said, no, he wanted to stay with his unit, as did Specialist Harris. Both had flesh wounds that could have caused them to be removed from the theater. They said, no, they wanted to stay with their troops. That is the kind of character and courage we have out there today. It is a pleasure to see them.

I also visited PFC Chris Busby from Valley Head, AL, a town of 600. He was injured in Baghdad. He was in an uparmored Humvee. That is important because we have been trying to make sure every uparmored Humvee possible is there because it is much more resistant to attack than regular Humvees. His foot was out the door as he was speaking and a mortar round hit. He said had he not been in an uparmored Humvee, he may well have been far more seriously injured, if not killed. His arm and leg which were outside the door were both severely injured.

Asking how he happened to join, he said: Well, it was after September 11. I thought I ought to serve my country.

He is 20 years old. His father was there. His father served 7 years as an

MP. His brother is in Germany. He is also an MP. That is the kind of great, rock-solid Americans who preserve, protect, and defend our country on a daily basis. I am so proud of them. They serve us so well.

Just a little over a week ago I had the burden of calling Mrs. Roxy Bell. Her son, Aubrey Bell, 33, a sergeant with the 214th MP Company, National Guard Company from the Alabama National Guard, was killed in a firefight through an improvised explosive device in Baghdad at the Al Bayra police station where he was working. Sergeant Bell was part of the 214th MP company from Baldwin County, AL. I had the pleasure to visit with them when I was in Iraq in August. I had supper with them. I talked to them. They talked about patrolling the streets of Baghdad with the Iraqi police who had been brought on, which is exactly what we need to do to stabilize that country, bring on more Iraqi police. They were so positive, had such extraordinarily good morale. I was exceedingly proud of them. It was most painful to have to call and talk to his mother at the loss of her fine son who lost his life serving his country.

All of us need to remember that. We have sent those young men and women out. They are serving at our direction. They are placing their lives on the line for us on a daily basis.

We ask God's blessing and protection be with each one of them and that we are given the wisdom to help guide them in the application of their abilities and their lives in an effective way.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. Six and a half minutes.

Mr. DORGAN. Mr. President, in April of this year I was in Italy. I had stopped at an American military cemetery about 15, 20 minutes outside of Florence. On a beautiful morning, the sun was shining on the graves of 5,000 American soldiers who left their homes, left their families, and answered the call to serve their country and gave their lives during the Second World War. Their final resting place is now a cemetery, a beautifully kept military cemetery maintained by the Battlefield Monuments Commission of our country south of Florence.

I was thinking of that prose that says: When the night is full of knives and the lightning is seen and the drums are heard, the patriots are always there, ready to fight and ready to die, if necessary, to defend their country. Those patriots have given the ultimate sacrifice all across the world in defense of freedom here.

I was thinking this morning of a telephone call last week. I called a German hospital in which Brandon Olson was resting. He had just been wounded in Iraq. I called him in the hospital and I called his mother. Brandon Olson's mother called him on Thursday. On



Friday he had his foot amputated. She called him prior to surgery. When I talked to her, she told me her son was under heavy medication. She could tell when she called him that he was in pain and his voice was weak.

This mother told her son, lying in the German hospital: You don't have to talk. I just want to hear you breathe.

It is a mother, concerned about her son, who left this small town of Hazen, ND to answer the call of his country. That is Brandon Olson. But it was also Brandon Ericson and Jason Frey, young men and women, in this case three North Dakotans, who lost their lives fighting in Iraq.

Finally, I believe, after some long period, this country is reaching out to its veterans and finally understanding its requirement, its obligation to say thank you—thank you for your sacrifice and thank you for honoring our country.

This morning in the newspaper in our largest city, Fargo, ND, they pointed out that:

The planeload of civilian passengers in a metropolitan airport terminal a couple of weeks back who stood and cheered in unison when asked by United Airlines to give up their seats on an overbooked flight and take a later flight so that soldiers headed home on 14-day leaves from Iraq could get there a few hours earlier. Every soldier got a seat on that airplane.

They all got on that flight because other passengers gave up their seats. That is what is happening in this country today as we face danger, difficulty, and challenges as a nation in Iraq and Afghanistan, and danger from terrorists around the world. Our country is saying to those who wear our uniform: Thank you. We owe you a great debt, one which we may never be able to repay, but we recognize your sacrifice and commitment to our country.

As I looked at those gravesites south of Florence, Italy, in that beautiful cemetery on that April morning, I thought of John McCrae's wonderful poem "In Flanders Fields." He wrote:

In Flanders fields the poppies blow  
Between the crosses, row on row,  
That mark our place; and in the sky  
The larks, still bravely singing, fly  
Scarce heard amid the guns below.

We are the Dead. Short day ago  
We lived, felt dawn, saw sunset glow,  
Loved and were loved, and now we lie,  
In Flanders fields.

Take up our quarrel with the foe:  
To you from failing hands we throw  
The torch; be yours to hold it high.  
If ye break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders fields.

It reminds us again—especially today, on Veterans Day—all across America that the liberty we enjoy, the freedom we take for granted was paid for by the blood of patriots, and every American family has been touched by those patriots who have given the ultimate sacrifice. Every American community can and should recognize today those who live up the block or down

the block or on the farm, who went all across this world and have fought valiantly for America's freedom, and have come home to live quietly among neighbors, never talking much about their service to our country.

But that service is what has made this the wonderful country it is. There is no place like it on Earth. There is no place quite as free as the United States of America, and that freedom has not been achieved without great sacrifice by young men and women. When America sends its sons and daughters to war, when America asks its sons and daughters to fight, then we must resolve to do everything we can to make that a successful fight on behalf of America's freedom.

Today, we honor wonderful veterans who have served this country for many decades.

I yield the floor.

Mr. SPECTER. Mr. President, today, Veterans Day, we honor America's veterans. It is to serve as 85 years of recognition after armistice was declared on November 11, at 11 a.m., in 1918. We pay tribute to our veterans today, but I suggest to my colleagues and fellow Americans we ought to pay more tribute to veterans every day.

The first veteran I knew was my father, Harry Specter, who was a veteran of World War I. My father had come to the United States as an immigrant, at the age of 18, in 1911. The Czar in control of Russia at the time wanted to send my father, among many others, to Siberia. My father chose instead to come to America. He literally walked across Europe, barely a ruble in his pocket, and traveled at the bottom of the boat to the United States to make a new life for himself. He did not know at that time that he had a round-trip ticket to France, not to Paris and the Folies Bergeres with the dancing girls, but to the Argonne Forest where he was wounded in action.

My father carried shrapnel in his legs until the day he died. The U.S. Government promised the veterans of World War I a \$500 bonus and, as has been the case so frequently with the U.S. Government, the promise was broken. The veterans then mounted a march on Washington in 1932 to seek redress, exercising their constitutional right to petition their Government, and also in petitioning their Government, to have the Government fulfill the promise the Government had made to pay the veterans a \$500 bonus.

Today, when there is a demonstration in Washington, the red carpet is rolled out. On that day, in 1932, the cavalry was rolled out with drawn sabers, led by MAJ George C. Patton. In command was the Chief of Staff of the Army, Douglas MacArthur. There is a famous picture of General MacArthur, with his aide de camp, MAJ Dwight Eisenhower. On that day, veterans were killed. It is one of the blackest days in American history.

That was the way the U.S. Government responded to the pleas of the

World War I veterans who were asking only for what they had been promised—their \$500 bonus. In a sense, in a metaphor, I have been on my way to Washington ever since to get my father's bonus. I have not gotten it yet, so I am still here and running for reelection.

When we honor the veterans today, we ought to make note of the fact that the medical services that are available to veterans are, realistically viewed, insufficient. We are about to take up, in the course of the next several days, the appropriations bill for veterans. We are endeavoring to get an additional \$1.3 billion to help on veterans medical benefits.

I have the honor to chair the Veterans Affairs Committee in the Senate. Later today, I will join President Bush at the White House for a bill-signing ceremony, where we are creating additional veteran cemeteries across America, so that the families of veterans can be near their departed loved ones and can pay tribute without traveling long distances.

At the present time, families of veterans who live in southeastern Pennsylvania have to travel about 100 miles to Indiantown Gap, to Annville, to pay respects, where veterans are now interred, buried, from the southeastern part of the State. After a great deal of effort, going back about 6 years, I am paying tribute to former Congressman John Fox, who worked with me initially to introduce the legislation that was finally passed by both Houses of Congress. JIM GERLACH is the current sponsor in the House of Representatives—Congressman GERLACH—and there will be a bill-signing ceremony today where President Bush will affix a signature and we will at least have done that for veterans.

There are many issues pending to take care of America's veterans. We are currently in the Veterans Affairs Committee reviewing a proposal by the Department of Veterans Affairs to alter the hospital accommodations across America. We are determined to see to it that any changes which are made benefit rather than hurt veterans.

Mr. President, on the subject of the proposals which are now pending, I am very much concerned, as chairman of the committee, for the entire Nation about what will happen to many of the facilities which are under review—facilities in New York, facilities in California, facilities across the country, and one very hotly contested facility in Waco, TX. I am concerned about what will happen in Pittsburgh where there are proposals to close Highland Drive. If that is done, there has to be an adequate accommodation so that the facilities are at least equal to, if not better than what is currently available. There are concerns about Butler, PA, Erie, PA, and across my State. A new facility is due in Lebanon.

So on this day when we are concerned about veterans, when we pay honor to them, we ought to remember

that the veterans have created the climate of freedom. When we pause and remember the veterans on Armistice Day of 1918, remember that it is a continuum of veterans who have served America since the Revolutionary War. My brother served in World War II, as did my brother-in-law in the South Pacific. I was in the service during the Korean war and served stateside.

We now have many aging veterans from World War II and the Korean war who need more accommodations. We have veterans from Vietnam and the gulf war and from Iraq. As we pay tribute to the veterans for what they have done for America, America should reciprocate and see to it that the needs of veterans are adequately responded to.

Mrs. BOXER. Mr. President, I wish to say a few words about Veterans Day, the day we honor millions who have served in our Armed Forces. We give thanks to those who risk their lives and, frankly, who are risking their lives as we speak. They have done it and they are doing it now out of love of country.

We also mourn those who made the ultimate sacrifice for our Nation. As American casualties mount in Iraq, Veterans Day takes on a very special meaning. Many in our country have lost loved ones in Iraq, and every day we all pray for the safe return of our men and women in uniform.

In my home State of California, we have lost 73 from California or based in California. The burden is heavy for their relatives—mothers, dads, children, friends. Yet we know they went over there, in many cases, following their families in a rich military tradition and, in some cases, because they wanted to stand up and be counted for their country.

They have courage and dignity. It is our responsibility to only send them into harm's way when we know what we are doing; to only send them into harm's way when we have a plan; to only send them into harm's way when we have an exit strategy, and these are issues we will continue to work on because some of us, I am afraid, do not see that plan and do not see that exit strategy.

I wish to say on a personal note that November 11 is also my birthday. I say that because as a child, I was so proud I was born on what was called Armistice Day because Armistice Day reflected a day of peace, the end of a war, the end of the war to end all wars, which World War I was known as. Unfortunately, it wasn't to be. There were more wars. In 1954, Congress changed the name of Armistice Day to Veterans Day to pay homage to all of our veterans.

I regret I am not able to spend today with veterans in my State. I really had wanted to do that, but I do appreciate this opportunity to pay tribute to them on the floor of the Senate.

One more point on veterans. Earlier today I introduced legislation to help

our future veterans by reimbursing States and localities that continue to pay their government employees who are Guard and reservists—such as policeman and firefighters—when they are called to active duty. This legislation will go a long way to help the families of these Guard men and women and reservists make ends meet.

In many cases, the local and State governments are paying their salaries and are falling behind. It seems to me that is the least we can do, is reimburse for those funds. I hope others will join me in this legislation. By the way, many of our States and counties and cities are already doing this, and their budgets are hurting.

This is a war that was, in fact, voted on here and executed by the President. Therefore, it seems to me the least we can do is reimburse local agencies who are putting out the funding.

Mr. BYRD. Mr. President, November 11, Veterans Day, is the day of reverence for American veterans. It is the day of the year set aside to honor the people who have defended our country, our way of life, and our freedom. It is the day that allows us to pause to recognize their patriotism, their love of country, their willingness to serve, and their willingness to sacrifice.

Just last year, President Bush called Veterans Day the day that we "show our gratitude to the veterans of the United States Armed Forces"—a day when "we honor veterans and we honor their families, and we offer the thanks of a grateful Nation."

The very origins of this day are both historic and symbolic. It began at the 11th hour on the 11th day of the 11th month—that is, 11/11/11—of 1918 when the allied powers signed a cease-fire agreement with the central powers, thus bringing to an end the 4-year bloody nightmare known as World War I.

The next year, the United States set aside November 11 as Armistice Day to remember and honor the sacrifices that men and women made during World War I.

In 1926, a congressional resolution officially named November 11 Armistice Day. Twelve years later, in 1938, Congress made Armistice Day a national holiday.

In 1954, following World War II and the Korean war, Congress made November 11 a day to honor veterans of all wars, and therefore changed the name of this most important day to Veterans Day. President Dwight D. Eisenhower, the President of the United States at the time, asked Americans to use this day to "remember the sacrifices of all those who fought so valiantly on the seas, in the air, and on foreign shores, to preserve our heritage of freedom." In the first Presidential "Veterans Day Proclamation," President Eisenhower proclaimed:

It is my earnest hope that all veterans, their organizations, and the entire citizenry will join hands to insure proper and widespread observance of this day.

Just how important and symbolic this day had become to the American people and, especially, our veterans, was demonstrated in the reaction to the Uniform Holiday bill of 1968. This legislation was part of an overall plan to make holidays part of a 3-day weekend, which would, in turn, encourage travel, recreational and cultural activities, and stimulate greater industrial and commercial activity. In so doing, this legislation changed the observance of Veterans Day from November 11 to the fourth Monday in October.

Seldom in all of my 51 years in Congress has Congress so misjudged the feelings of the American people. American veterans in particular, and Americans in general, demanded that the observance of Veterans Day be restored as November 11. It was all right to monkey around with Columbus Day, we learned, and even the birthday of the father of our country. But we should have never touched November 11.

According to the Veterans of Foreign Wars, November 11 has a special meaning to veterans of all wars and is a part of American history. Of all the days in the year, the one day which has the most significance to those citizens who made an extra sacrifice in the national interest by their service in the Armed Forces is November 11.

Many States simply continued to celebrate November 11 as Veterans Day.

Immediately, Members of Congress introduced legislation to redesignate November 11 as Veterans Day. My former colleague in this Chamber, Senator Robert Dole, who himself was a World War II veteran and was destined to become a majority leader of the Senate and a nominee of the Republican Party for Vice President and President, proposed such legislation. He called November 11 a "legal holiday that provides a unique and fitting day of recognition for our American veterans." It is the day, Senator Dole declared, when the Nation pays "tribute and homage to the men and women who have given so much in their quest for world peace and freedom."

By 1975, 42 States, including my own State of West Virginia, had returned to the practice of celebrating Veterans Day on November 11. In that year, Congress approved legislation to return the annual observance of Veterans Day to November 11. President Gerald R. Ford signed the bill, stating:

It has become apparent that the commemoration of this day on November 11 is a matter of historic and patriotic significance to a great many of our citizens. It is a practice deeply and firmly rooted in our customs and traditions.

More recently, when legislative ideas were circulating through Congress to bolster voter participation in Federal elections, at least one proposal centered on designating Veterans Day as the national election day. In response to that proposal, my office was flooded with phone calls from veterans, saying: "Please don't take away our special day."

Mr. President, November 11 is their special day. It is for this reason that during the years in which it was my privilege to serve as the majority leader of the U.S. Senate, I was always determined that this legislative body would not be in session on this most important and symbolic date. I always wanted to make sure that my colleagues and I had the opportunity to take part in the many ceremonies that take place on this day in honor of the courage and the sacrifice of America's veterans. I always wanted to make sure that this Chamber paid proper homage to the men and women to whom we owe so much.

Writing about the thousands of soldiers who lost their lives during the bloody battle at Antietam, Civil War historian, Bruce Catton, pointed out that these men did not die for a few feet of a cornfield or a rocky hill; they died that this country might be permitted to go on, and that it might be permitted to fulfill the great hope of our Founding Fathers.

So may it be said of most every person who has worn our Nation's uniform. These people served and they sacrificed to permit this country to go on to fulfill the great hope of our Founding Fathers. And it is proper and it is right that we take one day a year to pay our most profound respect to the men and the women who have worn our Nation's uniform, and to thank them.

I thank them and we here in the Senate thank them on this day for what they have given, for what they have sacrificed, and for their love of country.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

The Senator from Pennsylvania is recognized.

#### SYRIA ACCOUNTABILITY ACT

Mr. SPECTER. Mr. President, on behalf of the majority leader, I call up the Syria Accountability Act.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1828) to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes.

The PRESIDING OFFICER. The time for debate is limited to 90 minutes, with 30 minutes under the control of the Senator from Indiana, Mr. LUGAR, or his designee, 30 minutes under the control of the Senator from Delaware, Mr. BIDEN, or his designee, and 30 min-

utes under the control of the Senator from Pennsylvania, Mr. SPECTER.

Mr. SPECTER. Mr. President, there is before the Senate the so-called Syrian Accountability Act, which imposes sanctions on Syria. It recites a long list of circumstances where the Syrians have not taken sufficient action to fight terrorism, and then it calls for Syria to take corrective action, and in the absence of that corrective action, authorizes the imposition of economic sanctions, and it leaves with the President of the United States the authority to waive those sanctions if it is in the national interest.

Sanctions are imposed by Congress with some frequency. At first blush, this appears to be a straightforward affirmative vote, but I believe the matter is more complicated than that, and I have come to that view after having traveled to Syria almost every year since 1984, and after having had considerable contact with the Syrian Government. After considering the matter at some length, I have decided that I will vote in favor of the Syrian Accountability Act because the problems of terrorism are so serious and because I believe that Syria needs to do more.

The bill itself has a long recitation of background circumstances, but the events today in Iraq, where our fighting men and women are being subjected to terrorist attacks, casualties and fatalities, and where the people of Iraq are being subjected as victims of terrorism, I believe it is a fair demand that more be done. That would include more by Syria.

There are, according to reliable reports, official statements of the U.S. Government that terrorists are infiltrating into Syria, coming from Syria into Iraq. More has to be done on that subject.

It has to be noted that Syria has responded with a number of affirmative actions to be of assistance to the United States in our war on terrorists. The officials of the State Department have acknowledged that after September 11, 2001, that information was provided by Syria on al-Qaeda, which saved U.S. lives.

It is also to be acknowledged there has been some improvement on the Syrian-Iraqi border, but clearly not enough. There were reports just this morning from the State Department about the porous Syrian border and terrorists coming into Iraq, again exposing U.S. personnel and the Iraqis themselves to terrorist attack.

It ought to be noted that Syria did join in the unanimous resolution, U.N. Resolution 1511, and that when Secretary of State Powell traveled to Syria in April of 2002, there was some helpful action taken by the Syrian Government on the southern border of Lebanon. But when Secretary of State Powell went to Syria in May of 2003 and urged the Syrian Government to oust the terrorists from Damascus, that request was not acted upon. Recently, Israel moved against terrorist

training camps within a few miles of Damascus.

While all of these matters are subjected to controversy, and there are disputes by the Syrian Government, I believe the balance of the evidence supports the conclusion that those were training camps.

I believe it is important that the U.S. Government continues in its efforts to negotiate with Syria to try to improve the situation, and that we ought to be mindful that there are opportunities to have frank discussions with the Syrian officials which have led to some beneficial results and which ought to be pursued.

I urge my colleagues in the U.S. Congress, pursuant to our duties, for example, on the Foreign Operations Subcommittee on which I serve, or on the Foreign Relations Committee, to travel to Syria to engage the Syrian leaders because I think it can be productive. I make reference to my own experience in that regard.

I made my first trip to Syria in 1984. As I have said, I have been to Syria almost every year since. I first met President Bashar al-Assad in January of 1988 and found him to be willing to listen and willing to have a dialog. My conversation at that time with President Assad lasted for some 4 hours and 35 minutes, talking about a wide range of issues—the Israeli-Syrian relations, the Iran-Iraq war, which was still in progress at that time, U.S.-Syrian relations, the situations with the Jews in Syria. At that time, working with then Congressman Solarz, I urged President Assad to allow the Jews to have free immigration out of Syria. There were many Jewish women in Syria who could not find husbands of the Jewish faith. President Assad said to me, in one of our meetings, he would release any Jewish woman where somebody came from the United States—there were large Syrian-Jewish groupings in the United States—to come to claim a bride, and anyone who wanted to marry a woman in Syria who was Jewish, if a suitor came, the woman would be released.

I reported back to a number of Jewish-Syrian enclaves in the United States. Nothing much happened about that. Finally, a few years later, President Assad granted free rights for the Jews to leave Syria at their choice, something he had resisted, but something which he finally was persuaded to do.

During the course of the discussions I had with President Assad, I urged him to participate in discussions with Israel. At first, he took the position he would not be a party to any discussions which were sponsored just by the United States but only if they were sponsored by all five of the permanent members of the Security Council.

Finally, President Assad made a change and sent representatives to Madrid in 1991 to participate in those discussions. When Prime Minister Netanyahu was elected in 1996, Prime

Minister Netanyahu initially made some statements that he was going to hold Syria accountable for Hezbollah on the southern Lebanon border. That resulted in a very tense situation with Syria realigning their troops along the Syrian border.

Prime Minister Netanyahu knew I was about to travel to Syria and asked me to carry a message to President Assad and Foreign Minister Shara, that Prime Minister Netanyahu wanted peace and was prepared to personally engage in discussions and would urge President Assad to engage personally, but that was not a condition.

I relayed that message to President Assad. While he was not willing to engage in negotiations with Prime Minister Netanyahu, it was later reported there was an easing of those tensions.

On many occasions, I would urge President Assad to have discussions with the Israeli Prime Minister. I soon developed a relationship where I was able to take it in a somewhat lighter vein and said to him when our pictures—he met with me in his office, with the large traditional chairs and a small stand in between to hold the tea or coffee—I said tomorrow there would be a picture in the Damascus newspaper of our discussion, but that if he would meet with Prime Minister Shamir, which I urged in the early 1990s, the picture would appear on the front pages of the New York Times and the London Times and across the world.

When the Nobel Peace awards were given to Prime Minister Rabin and Foreign Minister Perez and Chairman Arafat, I urged President Assad to engage in negotiations with Prime Minister Rabin. I said he would be honored at Oslo, and he responded in a light vein that he might be honored at Oslo but he would not be allowed back in Damascus. I told him I did not think that was true, and he commented notwithstanding what some might think, the public opinion in Syria was a matter of some substantial concern to him.

I attended the funeral of President Assad in the year 2000, accompanying Secretary of State Madeleine Albright. On that occasion, I had a chance to meet his successor, President Bashar Assad. I visited Syria on two occasions, in 2002 and last year in 2003, and have had lengthy conversations with President Bashar Assad. They are conversations which are candid and sometimes critical.

For example, at the Arab summit, when President Bashar Assad made a comment that Zionism was the same as nazism, I said I thought there ought to be a change in his attitude on that because there was no comparison between the brutality of nazism, their destruction, their attacking neighboring countries, their Holocaust, murdering 6 million Jews, and the aspirations of the Zionists to have a homeland in Israel. He listened and talked. To what extent there is an imprint, who knows. It is better to have it said than to have him

thinking he can simply equate nazism and Zionism without an objection.

President Bashar Assad also made a comment at the Arab summit that it was fair to target civilians in the Golan Heights, and I disagreed with him. He said, well, the civilians are armed. I said, they have to be armed because there are attacks on the borders. I urged him that the right response was to engage in diplomatic talks with the United States.

The essential conclusions which I have reached are there is some substantial opportunity to deal with Syria. In Bashar Assad there is a new leader, a man in his late 30s, English educated, willing to meet with the House of Representatives or the Senate, willing to listen. Notwithstanding my many exhortations of President Hafez al-Assad and President Bashar Assad, they continue to harbor terrorists in Damascus. Both the father and the son respond that the people live there have been exiled from what was formerly Palestine, they cannot be in Israel so they live in Damascus. I responded I thought that was an insufficient answer.

Although some progress has been made, I do believe Syria needs to do much more. Syria is the de facto controller of Lebanon, and Syria needs to do more to stop Hezbollah and their rocket attacks on Israel, with the tremendous armaments which Syria has. There are reliable reports about Syria developing bacteriological warfare, a lot of chemical warfare, and extending the range of their missiles, and some incipient efforts at nuclear weapons, so they would have to submit to international arms control regimes.

Most of all, I believe Syria has to do much more in the fight against terrorism. President Bush has said, and I think accurately, he who harbors a terrorist is a terrorist himself; he who harbors a terrorist in the eyes of the law is an accessory before the fact.

Today, the problem of terrorism is so acute there cannot be any halfway measures. Syria needs to do a great deal more on the border to stop terrorists from coming into Iraq.

There are reports about al-Qaida being in Iraq. I am not vouching for any of those reports. I think we have to be very careful what we say about terrorism and who the terrorists are and where they come from, but there is no doubt Iraq has been a magnet for young men and young women who do not like the United States, who do not like U.S. support of Israel, who do not like what we have done in Iraq, and they are coming into Iraq. There are daily attacks on our men and women. There are daily attacks on the Iraqis themselves.

There is a state of tremendous violence. Every day, when we look to the news media, we wonder if there is going to be another report about a helicopter being shot down or about United States soldiers being attacked or about Iraqi civilians being attacked. That means

the effort against that kind of terrorism has to be absolute. That is why I believe the Syria Accountability Act is one which ought to be passed by the Senate.

When the Syria Accountability Act was gaining in cosponsors, I wrote to President Bashar al Assad on September 17 of this year. I ask unanimous consent that the letter be printed in the RECORD at the conclusion of my statement.

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

(See exhibit 1.)

Mr. SPECTER. President Assad then asked his representative in the United States, in Washington, his charge d'affaires—they didn't have an ambassador—to come and talk to me, and we had a discussion as to what was going on. It seems to me, after considering the matter and the gravity of the risks which our fighting men and women are undertaking in Iraq, and the risks to the Iraqi people themselves, that it is an appropriate time to make a formal demand on the Government of Syria to do more.

If they do more and if they join in the fight against terrorism, there is ample opportunity for the President of the United States to take the appropriate action pursuant to this resolution and to lift the sanctions.

I thank my colleague from Alabama for sitting overtime into the lunch period. I yield the floor and note we will now go into a noontime recess, to reconvene at 2:15.

#### EXHIBIT 1

U.S. SENATE,

Washington, DC, September 17, 2003.

His Excellency BASHAR AL-ASSAD,  
President, Syrian Arab Republic,  
Damascus, Syria.

DEAR PRESIDENT ASSAD: I write to inform you of growing concern in the United States Senate about Syria and the fact that the Syrian Accountability Act now has 76 cosponsors. I had discussed this proposed legislation some time ago with your Ambassador to the United States. I had refrained from co-sponsoring the Syrian Accountability Act on the premise that we should try to work out the problems without resorting to legislation calling for sanctions.

Yesterday, Undersecretary of State John R. Bolton submitted testimony to the House of Representatives' International Relations Committee that Syria is permitting "volunteers" to pass over your border into Iraq where those so-called volunteers are intent on killing U.S. troops. This follows Administrator L. Paul Bremer's statement on August 20th that Syria is allowing "foreign terrorists" to cross Syria's borders into Iraq.

When you met with Secretary of State Powell last May, there was an understanding that Syria would shut Damascus offices of Hamas, Islamic Jihad and other terrorist groups. In June, Secretary Powell stated that Syria's efforts to shut these offices were "totally inadequate".

The Bush Administration which had opposed the Syrian Accountability Act now is neutral, taking no position.

After extensive dealings with your father, President Hafez al-Assad, since the 1980s and with you on our meetings in the past several years, I have tried to assist in finding answers to these difficult problems. With the

Syrian Accountability Act gaining so much support, it is my hope that your Government will respond to the concerns outlined in this letter before the U.S. Government resorts to sanctions.

I call these matters to your personal attention with the hope that prompt action can be taken by Syria to resolve these problems. The United States greatly appreciated the help that Syria provided to our intelligence services after September 11, 2001 in our flight against el-Qaeda.

Sincerely,

ARLEN SPECTER.

## RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 and additional time having expired, we will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:53 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

## SYRIA ACCOUNTABILITY ACT— Continued

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I am pleased that the Senate soon will be taking action on the Syria Accountability Act. Much work has been devoted to this legislation, and I believe that we are ready to pass the bill. I would like to thank the majority leader for his support of this bill and the process that led to it. I also would like to thank Senators SANTORUM and BOXER for their commitment to this bill and their bipartisan cooperation in reaching agreement of an important amendment. A critical component of this amendment provides the President with the ability to calibrate U.S. sanctions against Syria in response to positive Syrian behavior when such adjustment is in the national security interests of the United States.

On October 30, the Senate Foreign Relations Committee held an excellent hearing on U.S. relations with Syria. Among other witnesses, we heard from William Burns, Assistant Secretary of State for Near Eastern Affairs, and Ambassador Cofer Black, the Counter-Terrorism Coordinator.

These hearings underscored the difficulties presented by recent Syrian behavior. Hopes that reform could take root in Syria after the fall of Saddam Hussein have dimmed considerably. Instead, tensions have increased between the United States and Syria, and a cycle of retaliation and revenge has derailed possible progress in the "Road Map" to peace for Israelis and Palestinians. The Israeli retaliatory attack on an Islamic Jihad terrorist camp in Syria has underscored that the "no war and no peace" status quo in the region cannot be taken for granted.

Many experts thought that when President Bashar al-Assad replaced his father 3 years ago, he would adopt a more pragmatic approach to negotiations with Israel and to internal polit-

ical and economic reforms. Syrian cooperation with the United States in relation to al-Qaida terrorists held promise for cooperation in other areas. Assistant Secretary Burns noted last June in Congressional testimony that "the cooperation the Syrians have provided in their own self-interest on al-Qaida has saved American lives."

But Syria's subsequent failure to stop terrorist groups, including Hezbollah, Hamas and Palestinian Islamic Jihad, from using Syria as a base for training and planning suicide bombings in Israel has continued. Syria also has failed to withdraw its forces from Lebanon or take concrete steps in support of the Road Map peace plan. It reportedly has continued to maintain stockpiles of chemical weapons and to pursue development of lethal biological agents.

Moreover, Syria is working against the U.S. and Coalition forces in Iraq by refusing to release assets in Syrian accounts that Saddam Hussein's regime stole from the Iraqi people.

These and other Syrian transgressions have led both Houses of the U.S. Congress to support the bill before us today, which stiffens the economic and diplomatic sanctions already imposed on Damascus for being a state sponsor of terrorism. I support this bill, which is based on the presumption that modifying Syria's behavior requires a tough response. But as we give the administration additional sticks to use against Syria, we should be careful about restricting our government's flexibility in responding to new diplomatic opportunities. Syria has shown the ability to make better choices—for example, supporting U.N. Security Council Resolution 1441 in November 2002, which held Iraq in "material breach" of its disarmament obligations and voting for the more recent Resolution 1511, which calls upon all nations to support the U.S.-led effort in Iraq. I believe the amendment to this bill provides the President with the necessary flexibility.

Even as we tighten restrictions on Syria, we should be emphasizing to the Syrians why it is in their interest to recalculate their approach towards the United States. Syria shares a 400-mile border with Iraq. With more than 135,000 U.S. troops deployed in Iraq, Syria needs to reconsider where its future security interests lie. This is not a threat of U.S. military action but a statement of the new reality on Syria's borders. Moreover, Syrian forces that continue to occupy Lebanon are draining the Syrian economy while providing few positive returns. Continued Syrian occupation of Lebanon invites further possible military action from Israel.

The Syrian leadership also must adjust to the end of its "under the counter" oil deals with Saddam Hussein. Syria must negotiate new and transparent arrangements to meet its energy needs. Syria's economy will not thrive without opening up to investment and trade, particularly with Iraq.

Significant benefits could accrue to Syria from an economically vibrant Iraqi trading partner, increased trade with Europe and the United States, and even possible membership in a Middle East Free Trade Agreement down the road.

In this context, Syria may find motivation to return to the negotiating table. An agreement on the Golan Heights that would provide security guarantees for Israel while respecting Syria's sovereignty could be the key to resolving a host of other problems, including Syria's occupation of Lebanon, its support of Palestinian terror groups, and its economic and political isolation. Although success of such an agreement would depend ultimately on the parties themselves, the United States must seek to leverage obvious Syrian interests in pursuit of a viable settlement.

The Syrian regime has some difficult choices to make. It can continue to harbor and support groups devoted to terror, or it can act in ways that will help restore stability and peace in the region and thereby create a better economic future for its people. It cannot do both. This bill, as amended, adds to the tools available to the President to move Syria toward a more responsible course. I commend the bill to the Senate and hope that we will pass it by a strong vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DASCHLE. Mr. President, I wanted to come to the floor to express my strong support for the Syria Accountability Act. I commend the distinguished chairman of the Senate Foreign Relations Committee for his leadership and the efforts he has made on this legislation to bring us to this point. Let me also thank my colleague from California, Senator BOXER, for her tireless and effective advocacy of this legislation. I am very pleased this legislation is now pending. I congratulate my colleagues as well as others who have made the effort to bring us to a point where I believe on a strong bipartisan basis this legislation will pass this afternoon.

This day has been a long time coming. We have heard administration officials argue that this straightforward response to the behavior of the Syrian Government reduces the President's flexibility to deal with the "bigger picture." We believe that it is not only morally right, but will actually strengthen the President's hand in explaining the "big picture" to the Syrians.

Had our years of entreaties to the Syrians not fallen on deaf ears, and had promises from Syria over the last several years not turned out to be little

more than empty rhetoric, this bill might not have been necessary.

However, it appears to many of us that the point where we can continue to sit back and hope for Syria to change course has passed. The time has come to show Syria that continued inaction will no longer be tolerated and will come at a price.

The behavior we seek from Syria is not different than what we expect of every other country in the world community—an end to its support for terrorism, and enforcement of its own international agreements and United Nations Security Council resolutions.

Syria simply has failed one too many times to live up to these obligations, and this legislation backs up our hopes for Syrian compliance along with the very real threat of sanctions.

The Syria Accountability Act holds Syria accountable for its behavior by imposing sanctions unless the Syrian Government certifies that: It is no longer providing support for terrorists and terrorism; it has withdrawn all of its military and intelligence personnel from Lebanon; it has ceased its attempts to produce, acquire, or transfer weapons of mass destruction; and it has ended its support for terrorists in Iraq.

I am pleased with the bipartisan process that produced this landmark legislation, and I especially want to commend Senator LEVIN for his leadership in ensuring that the President maintains the maximum flexibility to wisely wield the tools created by H.R. 1828. The national security waiver, which allows the President to waive certain sanctions if they are deemed counterproductive to U.S. security interests, will allow our government to effectively press for reform in Syria without endangering our efforts in the global war against terrorism.

There are three reasons we need to pass this unambiguous statement of U.S. intent.

First, as remarkable as it is to imagine, the Government of Syria still provides safe haven and material support for some of the most objectionable terrorist organizations in the world.

Hamas, the Palestinian Islamic Jihad, PIJ, the Popular Front for the Liberation of Palestine General Command, the Popular Front for the Liberation of Palestine, the Democratic Front for the Liberation of Palestine, the Abu Musa Organization, and the Popular Struggle Front all maintain offices in Damascus. Members of the Syrian Government have, on occasion, condoned suicide bombings against civilians within Israel, calling them legitimate military operations.

Syria alternates between defending these offices in Damascus as solely for press purposes, uninvolved in the conduct of terrorist attacks, and promising they will shut the offices down. To date, its promises have amounted to nothing. Meanwhile, its defense of these offices is as unfortunate as it is inaccurate. It is simply not acceptable

to provide support for an office whose sole purpose is to call attention to, and encourage support for, attacks on innocent civilians.

Moreover, reports indicate that planning for the recent and horrendous attack at a restaurant frequented by Israeli Jews and Israeli Arabs in Haifa is connected to offices in Damascus.

We are also beginning to learn from the intelligence community that Syria may have allowed military equipment and personnel to flow into Iraq on the eve of and during the war, both of which were used against our troops in that country.

Although the administration reports that the situation on the Syria-Iraq border is "improving," the international community should expect nothing but full cooperation from Syria on something so basic as stopping the flow of terrorists through its territory.

Second, in signing the 1994 Taif Accords, Syria pledged itself to the "security and independence of Lebanon." To date, it has helped with neither. Instead, it continues to support the Lebanese Hezbollah and undermine the democratic aspirations of the people of Lebanon by occupying that country.

In 1999, Israel withdrew its forces from southern Lebanon after being told by the international community that doing so would increase its security. Cynically, Syria exploited the resulting security vacuum and permitted attacks on Israel from that region, all in contravention of Security Council Resolution 425. It is especially disappointing that we have to come to the floor of the U.S. Senate to call on a member of the United Nations Security Council to enforce its own resolutions.

Third, the Syria Accountability Act—a clear statement of America's resolve—should help put an end to the series of mixed signals coming from the Bush administration. Over the course of the last 3 years, we have heard various policies from the different spokespeople for different agencies of the U.S. Government. In fact, we have even heard competing policies and concerns from offices within the same State Department.

As I said at the beginning, I wish this bill were not necessary. Unfortunately, we all recognize that it has become necessary. This bill will make clear to Syria what we expect of it. If it is not willing to end its support for terrorism or uphold its agreements, it should not be accepted as a full partner in the international community.

I urge adoption of the legislation and again congratulate the distinguished chairman of the Foreign Relations Committee for his leadership in bringing this bill to the floor this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I thank the distinguished Democratic leader for his speech and for his thoughtful comments.

Mr. President, I am prepared to yield to the distinguished Senator from Pennsylvania as much time as he should require, with the time allotted to our side on this amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I, too, thank the Senator from Indiana for working very closely with Senator BOXER and me on this very important piece of legislation, which is a very timely piece of legislation.

The House passed this legislation a few months ago and sent it over here. We have been working diligently with both Senator LUGAR and Senator BIDEN, and they have been most cooperative in working with the administration to craft a bill that I think meets some of the concerns the administration has, some of the concerns the committee has experienced in dealing with sanctions bills, and particularly the issue of the waiver authority of the President.

The House-passed bill did not allow the President to waive sanctions on military or dual-use items—"dual use" meaning they could be used for civilian or military purposes. I think the chairman of the committee rightly expressed concern about that, that the precedent generally is that the President have waiver authority in the case of vital national security interests or national security interests.

We negotiated as to what that standard should be. We obviously wanted the highest level of scrutiny before the President could waive that which would be vital national security interests. The lowest level would just be sort of a national interest test. And we compromised on a national security interest waiver. It is sort of a midlevel, if you will, waiver authority or waiver standard. We think that is appropriate here for all of the items, all of the potential sanctions that may be imposed by the President under this act.

So the President, under the revised bill we have before us, does impose sanctions, but it gives the President the flexibility to waive. But he has a threshold he must meet and make the case that that threshold is made in order to waive these sanctions. So we give the President the hammer that I think is necessary and that so many have talked about here.

Syria is a bad actor in the region. It is part of the "axis of evil," in my opinion. It is a country that sponsors terrorism, that supports terrorism, that encourages terrorism, not only against American interests, not only against Israel, but it is occupying, through setting up these terrorist organizations, as well as their own military force, what was a very moderate and progressive Arab country, Lebanon.

That is a heinous act, and I find it somewhat remarkable that the rest of the Arab world does not continue to condemn it and do what we do: try to ratchet up the pressure on Syria to get

out of Lebanon, to allow the people in Lebanon to determine their own government and to freely elect people who could serve the best interests of the Lebanese people, not the dictator in Damascus.

So we have, really, a purpose beyond our national security interest, although I would argue that a free and prosperous Lebanon—and given the history of that country, and being a bridge between the Middle East and West—that would be a very stabilizing presence in the Middle East, to have a country with a democratically elected government, and not being the threat Lebanon now poses, not because of the people themselves but because of the terrorists who reside in southern Lebanon, because of the other heinous acts that are conducted by the terrorist groups based in Lebanon that they project throughout the world.

This is a very important issue for national security. It is a very important issue for the peace in the Middle East.

I am very gratified that the Senate could come to a conclusion on this bill and bring it to the floor of the Senate and have it pass on a day when we honor our veterans, as we should. We had people fight and lose their lives in Lebanon, and they did so bravely and courageously. But I have to say, it was not one of the proudest moments for me as an American to see our troops withdraw from Lebanon and not stay there to fight another day, with the oppression Syria was imposing upon that country.

This is a chance for us to begin the process of reengaging in Lebanon, reengaging the Syrians who have been nothing but trouble and fomenting trouble throughout the Middle East and being disruptive of the peace process in the Middle East.

I say to the Senator from Indiana, thank you for the time. Thank you for your willingness to bring this bill to the floor and to move this bill forward.

I will enter into a colloquy with Senator BOXER to discuss our desire and our hope that the President not immediately think about waiving these provisions; that he think carefully about any kind of waiver; that we try to impose some sanctions and send a message. Given the activities of the Syrians in the Middle East and the activities of Syria in Iraq, it is such an important and relevant discussion, that the President use these sanctions that are available to him for him to do so.

Mr. President, I wish to enter into a colloquy with my colleague, Senator BOXER of California, concerning the waiver authority extended to the President for the sanctions contained in the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003.

Mr. President, as the original cosponsor of the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003, I want to clarify the bill's intent with the original sponsors, Senator BOXER. Is it the Senator's understanding that—given the seriousness of

the charges against the Syrian regime and the fact that the highest levels of the U.S. Government have already made it clear that there will be consequences to the Syrians if there is no change in their behavior—the national security waiver contained in the bill is meant to address only those circumstances where United States national security interests are indeed severely threatened?

Mrs. BOXER. Yes, that is my clear understanding and the clear intent of the legislation. The bill lays out in great detail the serious threat Syrian actions pose to United States interests. Our expectation is that, unless the President can make the certification described in section 5, subsection (d) of the bill, he must impose sanctions on the Syrian Government. The national security waiver was only included to address currently unforeseen instances where U.S. national security interests would truly be threatened should such sanctions go forward. We expect the President to use the waiver only for such exceptional circumstances, and not on a routine basis as a way to circumvent congressional intent as so clearly expressed in the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003.

#### AMENDMENT NO. 2148

The PRESIDING OFFICER. Who yields time?

Mr. LUGAR. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Indiana [Mr. LUGAR], for himself, Mrs. BOXER, and Mr. SANTORUM, proposes an amendment numbered 2148.

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

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

The amendment is as follows:

(Purpose: To make technical and other corrections)

On page 2, strike lines 8 through 15.

On page 9, strike lines 21 through 24.

On page 15, line 1, strike "will be held responsible" and insert "should bear responsibility".

On page 15, beginning on line 6, strike "shall impede Syria's ability" and insert "will work to deny Syria the ability".

On page 15, strike lines 18 through 20.

On page 16, line 17, insert after "citizen in Iraq" the following: "if the Government of Syria is found to be responsible".

On page 18, strike lines 15 through 20 and insert the following:

(b) WAIVER.—The President may waive the application of subsection (a)(1), (a)(2), or both if the President determines that it is in the national security interest of the United States to do so and submits to the appropriate congressional committees a report containing the reasons for the determination.

On page 20, beginning on line 6, strike "withdrawn all Syrian military, intelligence, and other security personnel from Lebanon" and insert "ended its occupation

of Lebanon described in section 2(7) of this Act".

On page 21, beginning on line 15, strike "the attacks against the United States that occurred on September 11, 2001, and other".

On page 21, beginning on line 20, strike "given the recognition that Hizbullah is equally or more capable than al Qaeda" and insert "and other terrorist organizations supported by Syria".

Mr. LUGAR. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2148) was agreed to.

Mr. LUGAR. I thank the Chair. I now yield time to the Senator from Kansas, Mr. BROWNBACK.

Mr. BROWNBACK. Mr. President, I thank the chairman of the Foreign Relations Committee, Senator LUGAR, who does such an outstanding job on so many issues and really is a national treasure for us on international affairs and international issues, for allowing me recognition to speak on this bill. I thank the cosponsors, Senators SANTORUM and BOXER, for their work in bringing this issue in front of the body. I urge its passage.

I urge usage of the Syria Accountability Act by the President. Several of these issues have already been covered. I wish to address them with some specificity by saying 43 and counting—43 and counting. That is the number of dictatorships that are left in the world. There were 45 at the start of this year. Two have changed over. Dramatic changes are taking place in some other countries. But there are 43 dictatorships.

One of the harshest is Syria. It is a state sponsor of terrorism, one of five countries in the world that we recognize is a state sponsor of terrorism. We are facing terrorists coming from Syria on a daily basis in Iraq. You can hardly visit with any of our leadership working on the issue of Iraq and bringing democracy to that country without hearing them talking about foreign terrorists coming into Iraq. The largest percentage of those is coming through Syria. Another percentage is coming from Iran, which is another country that needs to go through a democratic metamorphosis and become a democracy. Iran is not a democracy today. We need to confront that.

We need to confront, for the safety of our troops, these foreign terrorists coming in from Syria who are being sponsored by the Syrian Government.

We know for some period of time Syria has sponsored Hezbollah, one of the leading terrorist organizations in the world, certainly very active in the Middle East, active in Lebanon, active in Israel, active, it appears, in support of going into Iraq. We know the historical legacy of Syria associated with Iraq and the Baathist Party regime that controlled both countries. It did control Iraq; it doesn't now. It is a ruthless, dictatorial, Stalinesque type of organization. They use political prisoners, torture, all sorts of means to



maintain control by the Baathist leadership. The Syria Baathist leadership is the same sort of leadership we saw in Iraq. They are a bad lot. It is time we put pressure on Syria to change.

President Bush last week made a beautiful speech to the National Endowment for Democracy calling for democracy throughout the world and saying that is the natural state of mankind, to be free and at liberty. Yet we see a dearth of liberty and freedom throughout much of the Middle East, particularly in countries such as Syria.

I hope the President will use the Syria Accountability Act to bring greater pressure on the dictators in Damascus, on bringing them a clear point that we will not tolerate this use of terrorism; we will not tolerate their attacks on our troops; that we will not tolerate a regime that is a dictatorship; that the people of Syria deserve better. The people of Lebanon deserve better than to be minding the dictator paymasters that exist in Damascus. The President really needs to use this power that is being given by the Congress to the administration for these sanctions in Syria.

I urge that we pass this act. I urge the President to use these sanctions. And I urge us to use all the means at our disposal to tighten the noose around the leadership of the dictators in Damascus. What they are doing in Syria, what they are allowing to flow out of their country, that would stop. This is one of the few countries left in the world that continues to be state sponsors of terrorism on a very aggressive basis. It must stop. We must show resolve in that.

I state my support for the bill and yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I thank the distinguished Senator from Kansas for his important argument.

How much time remains on our side?

The PRESIDING OFFICER. Eight minutes 20 seconds.

Mr. LUGAR. I thank the Chair.

I suggest the absence of a quorum, with the time to be counted against the side of the opposition to the bill as opposed to our side.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LUGAR. Mr. President, there have been consecutive Republican speeches on this amendment. We will be prepared to recognize the distinguished Senator from California. She will ask for her own recognition, but we hope she will have an opportunity to speak at this point.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, under the order, I have how much time remaining on my side?

The PRESIDING OFFICER. There are 18 minutes 24 seconds left for Senator BIDEN's designee.

Mrs. BOXER. Does the Senator from Illinois wish to make a few comments? How much time does he need?

I yield 5 minutes to my friend from Illinois, and then I will use the remainder of my time.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from California.

Mr. President, I rise as a cosponsor in strong support of the Syria Accountability Act.

Syria plays a key role in the Mideast region and it could play a constructive role, but all too often, it has not.

After September 11, Syria offered to share information that could help in the U.S. fight against terrorists. It joined us in the first Gulf War to oust Saddam Hussein from Kuwait in 1991, and it joined in peace negotiations with Israel in the 1990s. But Syria has taken steps and pursued policies that have undermined regional peace and damaged U.S. interests.

Syria was opposed to the US invasion of Iraq and it certainly has a right to that opinion but Syria has not taken robust action to keep foreign fighters from crossing its borders to fight Americans.

Syria objects to the U.S. occupation of Iraq, but has itself occupied Lebanon since 1976. More than 20,000 Syrian troops and police occupy much of Lebanon, dominating its politics and government and undermining its independence.

Syria harbors terrorists that promote and organize violence, undermining hope and progress for a comprehensive Arab-Israeli peace settlement.

Hizballah, Hamas, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine-General Command have offices, maintain training camps, and other facilities on Syrian territory and operate in areas of Lebanon occupied by the Syrian army, such as the Beqaa Valley. Some of these groups, Hizballah in particular, receive supplies from Iran through Syria.

The people of Syria are repressed, ruled by a small ethnic minority in a police state. There is no freedom of speech, no political freedom, and no freedom to dissent. The Syrian regime is also run by the Ba'ath Party, but split from Saddam Hussein's branch of this party.

The President has recently spoken about how badly the Middle East needs an infusion of democracy. He has argued that, despite the fact that the United States has found no weapons of mass destruction in Iraq, this country's war was justified because of the repressive nature of that regime.

I agree wholeheartedly with the President that one of the most impor-

tant things that this country can do to fight terrorism is to promote democracy in the Middle East.

The lack of democracy in many Middle Eastern countries has led directly to Islamic extremism. There are almost no outlets for political expression in a region filled with kings, emirs, and rubberstamp parliaments—except at the mosque.

It is no accident that most of the terrorists were originally from countries that do not allow dissent or meaningful political participation.

I, for one, do not believe this nation can remove every dictator and repressive regime. We cannot impose democracy from the other end of an M-16.

Mideast countries will not become models of democracy and openness overnight. But we must look to a longer term future where we call on them to embark on a "soft-landing" towards a more democratic future.

The bill we consider today, the Syria Accountability Act, will send a strong message of disapproval to Syria regarding its actions supporting terrorism, undermining regional peace, repressing its people, and undermining the independence of Lebanon. It will send those messages short of going to war.

The bill will broaden U.S. sanctions against Syria unless the President certifies that Syria does not support terrorism; that it has withdrawn its military, intelligence, and security personnel from Lebanon; stopped developing ballistic missiles and chemical and biological weapons; and that it is no longer in violation of UN Security Council resolutions. The bill allows the President to waive sanctions if he believes waiving them would be in the interests of U.S. national security.

I believe that Syria could play a constructive role in bringing peace to the region, ending the scourge of terrorism, and take its place as a regional leader. Syria and the United States could enjoy strong and growing relations. The bill we pass today will hold Syria accountable for its actions and send a strong message that Syria must change.

Syria has a great opportunity to decide whether it will be part of the family of civilized nations dedicated to self-government, dedicated to the principles of equality, and dedicated to peace in the region, or Syria can turn a different course. There has been ample evidence of I guess the experience we have had in Syria to suggest they have decided to chart a course that is not consistent with those values.

After September 11, Syria was one of the first to come to our side and say they would help us fight terrorism in the world. I had a chance to visit that nation and its leader shortly thereafter. He expressed condolences for our losses in the United States and pledged support in our effort to end terrorism.

Sadly, the accumulated evidence since that date does not suggest Syria has made the real commitment we

need, not only for the sake of ending terrorism in our country but for the sake of ending terrorism in the world. In fact, too many times Syria has been on the wrong side of history in the past and the current day.

This Syria Accountability Act basically says to Syria they will be held accountable for their conduct. Frankly, we understand that today Damascus, Syria, is the international headquarters for a variety of terrorist groups. That is totally unacceptable.

The President was right when he said we are opposed to not only terrorists, but those who harbor and support them. Syria has to take those words to heart, and this act is a measure that needs to be passed by Congress and signed into law by the President so Syria understands the importance of the role it plays in the Middle East and how closely it will be watched.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am very pleased we are going to vote on the Syria Accountability bill, a bill I first introduced with Senator SANTORUM in April of 2002. It has had a very bumpy ride. I am glad the ride will soon end smoothly; at least that is my sense.

On April 18, 2002, with a list of 45 cosponsors, I introduced this bill with Senator SANTORUM.

On that day, I said:

We cannot afford to rest for one second in pursuing those who believe that purposely killing innocent civilians is a legitimate means to political ends. We cannot give concessions to terrorists nor can we reward them by giving into their demands. This will only lead to more terror.

With that, Senator SANTORUM and I introduced the Syria Accountability Act because we knew at that time—and we know today—that by a variety of means the Government of Syria is supporting terrorist groups. It needs to end.

In the 108th Congress, May 1, 2003, now with a total of 81 cosponsors, we introduced our bill again and at that time we said:

If we are serious about peace in the Middle East and a cessation of terrorism here at home, then we must confront the Government of Syria in a way that will not lead to war but to a diffusing of tensions and a more peaceful world.

The administration opposed our bill very strongly. In fact, Secretary Powell came before the Foreign Relations Committee and when Senator LUGAR and Senator BIDEN said to him, do you support or oppose the Syria Accountability Act, Secretary Powell said it would not be helpful to pass it.

I did not agree with him then and I do not agree with him now. When Secretary Powell went to see the head of Syria, what was one of the first things he said to him? He said, you ought to shape up because there is a bill in the Senate, the Syria Accountability Act, and those folks over there are serious.

It proved my point that, in fact, for us to be tough on terrorism gives the

State Department the backup they need. I think, frankly, it will be very helpful for us to pass this bill today.

Now, the administration has moved off their opposition and they are neutral on this bill. They are neither for it nor against it. The good news is, the leaders of the Foreign Relations Committee, finally I think, have decided that maybe BOXER and SANTORUM have been on the right track. So this is a very big day for us because we have gone through a pretty tough legislative ride. We did not get hearings in the committee. We could not move it.

In addition to Senator SANTORUM, my original cosponsor of this, I do want to thank Senator BYRD, who made suggestions to perfect our bill, Senator LUGAR who worked with Senator BYRD and others, Senator BIDEN, who agreed to let this come up in an expedited fashion, and over on the House side Representatives ELIOT ENGEL and ILEANA ROS-LEHTINEN helped us quite a bit in moving this bill.

So it is, in fact, a day that is important. What we are basically saying in our bill is that if Syria does not shape up they are going to face sanctions from this Government. If Syria does not stop supporting terrorism, if Syria does not stop the development of weapons of mass destruction, if Syria does not end its occupation of Lebanon and cease support for the terrorists operating in Iraq, they are going to face a series of escalating sanctions.

The fact is that we have 81 cosponsors—and I see Senator SANTORUM on the floor now. He worked his side of the aisle, I have worked mine, and we were able to really get these cosponsorships up. On October 15, the House passed its version of the bill 398 to 4. So I have to say we are on to something.

Let me say from the bottom of my heart what I think we are on to. We are on to the premise that the truth shall set you free. We cannot have relationships with Syria and close our eyes to the truth, and the truth is that Syria is, in fact, supporting terrorism in ways that are very clear. They are a major supporter of Hezbollah, an international terrorist organization that has carried out numerous attacks against Americans and Israeli civilian targets. They have operated freely in the Syrian-controlled Beqaa Valley in Lebanon over the past 20 years. Other terrorist groups such as Hamas, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine-General Command all maintain offices, training camps, and other facilities inside Syria or in areas of Lebanon under Syrian control.

Anyone who has traveled to the region knows that one of the saddest stories in the world is the story of Lebanon and how its people have lost any control over their own destiny. As we fight for democracy in the world, we have to remember that. This was a country at one point that was absolutely considered the Paris in the Mid-

dle East, and it has really been lost because it has been taken over in a hostile takeover, I might say, by the power of Syria.

So all of these issues, getting Syria to turn its back on terrorism and not allow these organizations to operate within their borders, Syria allowing the Lebanese people to have a life of freedom and democracy or at least self-determination, however they determine it, these are issues that are crucial. As long as they keep up the status quo, the goal of Middle East peace is quite elusive.

Twenty thousand Syrian troops and security personnel continue to occupy Lebanon and again, as I said, undermine its political independence. It is a direct violation of U.N. Security Council Resolution 520. What does that say? That resolution calls for strict respect of the sovereignty, territorial integrity, unity, and political independence of Lebanon.

We also know that Syria is developing weapons that are very dangerous, and that they are not doing enough to prevent terrorists from entering into Iraq. In fact, the terrorist who was attempting to blow up an Iraqi police station was found to be carrying a Syrian passport.

This has to stop. Nations must be held accountable for the proliferation of terrorism and they must be held accountable if they are not doing all they can to pursue Middle East peace or at least allow that peace to take place.

So this legislation has taken a bumpy road. When Senator SANTORUM and I got together to work on it, people said that is quite a combination. They said if those two can get together on anything, eventually we know we are going to win.

It has taken us almost 2 years but we could not be happier. We want to thank the 80 other Senators who are cosponsors of this bill. We, again, thank Senators LUGAR and BIDEN for allowing this bill to come directly to the floor today. We think it is a historic day.

Our goal is to prevent war and to lay out markers for Syria. We do not want to go to war with Syria. We just want to say, in a truthful way, these are the things that you have been doing wrong. Please meet these markers. Help us. Help us in the world. If you don't, we are going to have some sanctions and they are spelled out. I think others have spelled them out. The idea behind this bill is to avoid a confrontation and instead have a relationship that is respectful between our two nations. I think today we will go a long way to that end.

I believe all my time is used up at this point so I will yield the floor and I hope we will be voting shortly on this.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I will take this occasion to tell the Senate that today we celebrate the birthday of

the distinguished Senator from California. Senator BOXER is a year younger. This is an excellent day for her to offer this legislation, and we commend and thank the Senator.

I yield such time as he may consume to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH. Mr. President, I join the chairman of the Foreign Relations Committee in wishing a happy birthday to Senator BOXER. I also thank Senator BOXER and Senator SANTORUM for their tenaciousness in advancing this bill. It is long overdue and it is to be celebrated by all of us.

Senator LUGAR, Senator BIDEN, and the Foreign Relations Committee have worked this bill into a condition where we can bring it to the floor, giving the President sufficient discretion, and make clear that we will continue to engage in diplomacy with the Syrians but we are going to do it on a more realistic basis, a basis that has consequences, a basis that deals with facts, not fantasy, and truly makes progress in the Middle East.

It is a matter of historical record that for a long time, several decades now, the Syrians have occupied the nation of Lebanon, their smaller neighbor to their west. In the course of that, whatever their motives were for going in, they have stayed there for gain. They have denied democracy to the Lebanese people, they have denied them self-determination, and they have been responsible for keeping the breach and the wound alive in Lebanon.

But as it relates to this bill, I also have to take note of the fact it is Veterans Day. We thank our veterans. We celebrate our veterans. We owe them a great debt.

As we think of yesterday's veterans, I am reminded of today's veterans, many of whom, from the State of Oregon, are in Iraq now and who are in harm's way for the cause of American liberty and the safety of the American people and our allies in the ongoing war on terrorism. The truth is, much that is aimed at them today comes from Syria. It comes from car bombers holding Syrian passports. Indeed, just the other day we learned the car bomb that was interdicted and the person pulled out of the car that was filled with explosives was from Syria. Syria maintains a porous border with Iraq that simply cannot remain as it is because if it does, it will mean the death of more of our soldiers. We want them home and we want them safe.

There is more than a porous border that concerns me with Syria. It is the fact that Syria provides a safe harbor, indeed a safe haven, a heaven, if you will, for terrorists. For those who conspire to murder on a massive scale, Syria gives them a place to stay, gives them protection, and a place to hide their money and their weapons before they can bring them into conflict with American soldiers. Who knows what also may be there from the arsenals of

Saddam Hussein. Who knows what weapons of mass destruction may even be there as well.

All of this needs to end. Our President needs to have the tools, the diplomatic tools necessary to prosecute the case with Syria in a way that gets us beyond the status quo because the status quo is unacceptable and the status quo is deadly and the status quo has to be over. I join with Republicans and Democrats alike today in urging passage of the Syria Accountability Act, for the sake of our country, for the sake of the Middle East, for the sake of Muslims, for the sake of Jews, for the sake of Christians, and all who have suffered much.

The road to Damascus has brought so much murder, so much conspiracy, so much weaponry, so much blood money that has been used against the peace process and those who are the advocates of a peaceful resolution in the Middle East.

It is a matter of Scriptural record that a man named Saul on the road to Damascus once saw an awful lot of light, changed his way, and even changed his name. We know him today as the Apostle Paul. What we need now on the road to Damascus is a lot more light because all we have been getting is so much darkness. We need a new beginning with Syria. The President needs a new authority against Syria. This bill is crafted in a way that is helpful diplomatically so we can avoid hostilities. But let us have the courage in this war on terrorism to go where the facts take us. Let us all pray it does not take us down the road to Damascus, but we have to be realistic.

This bill is a very good start. I urge the Senate to adopt it today by a very large margin.

I yield the floor.

Mr. LEAHY. Mr. President, I am voting for the Syria Accountability Act because I believe it is important to call attention to Syria's continuing military occupation of Lebanon in violation of international law, and its support for terrorist organizations, including Hezbollah, that are responsible for ongoing, deadly incursions into Israel.

It is well established that the Syrian Government rules through fear and repression. Torture by Syrian security forces is routine. The denial of basic human rights has been widely documented. We should condemn these policies.

And there are allegations that Syria supplied Iraqi forces with military equipment, which the Secretary of Defense has described as hostile acts against the United States.

The United States is justified in seeking to apply political and economic pressure on Syria in an effort to change its policies. That said, there are some aspects of this legislation that I do not support, and I want to take a moment to discuss them as I do not want there to be any misunderstanding about my vote. Most importantly, I do not want my vote for this legislation

to be cited as an endorsement for military action against Syria.

For examples, Section 4, entitled "Statement of Policy," says that it is the policy of the United States that "the United States shall impede Syria's ability to support acts of international terrorism and efforts to develop or acquire weapons of mass destruction." I doubt that anyone disagrees that we should try to do that. But by what means? Will support for this legislation be cited at some point in the future by the administration, or others, as a green light for launching a unilateral, military attack to "impede Syria's ability to support acts of international terrorism?" That is precisely what was done by the White House when it cited resolutions passed a decade ago to justify a unilateral attack against Iraq years later, even though that was not what many, if any of us who supported those resolutions intended at the time. Over and over again, the administration, in an effort to justify their precipitous use of force against Iraq, cited passage of the Iraq Liberation Act in 1998 as evidence that Congress supported the overthrow of Saddam Hussein in 2003. What the administration kept omitting in numerous public statements is that one section of that act made clear that nothing in the act was to be construed as authorizing the use of U.S. military force against Iraq. I am concerned that the Syria Accountability Act could be distorted in a similar way. I do not support military action against Syria, and I am in no way endorsing such action by voting for this legislation today.

The same can be said of the statement that it is the policy of the United States that "efforts against Hezbollah will be expanded given the recognition that Hezbollah is equally or more capable than al Qaeda." First, I do not know if it is true that Hezbollah is "equally or more capable than al Qaeda." Perhaps it is. I don't know, and I doubt the authors of this legislation can be certain that it is, especially given the difficulties we have had in obtaining reliable information about these organizations. In any event, while I might support expanded efforts against Hezbollah, it would depend on what those efforts are. For example, I am not in favor of sending U.S. troops to Lebanon to engage in combat against Hezbollah. I do not want my vote today to be construed as supporting any expanded efforts against Hezbollah regardless of what they might be.

Similarly, the legislation states that it is United States policy that "Syria will be held accountable for any harm to Coalition armed forces or to any U.S. citizens in Iraq if the Government of Syria is found to be responsible due to its facilitation of terrorist activities and its shipments of military supplies to Iraq." Syria should be held accountable. But in what way? The legislation, once again, is silent. My support for efforts to hold Syria accountable, should

the evidence warrant it, depends on what those efforts are.

Finally, the legislation says that it is the policy of the United States that "the United States will not provide any assistance to Syria and will oppose multilateral assistance for Syria until Syria ends all support for terrorism, withdraws its armed forces from Lebanon, and halts the development and deployment of weapons of mass destruction and medium- and long-range surface-to-surface ballistic missiles." We all want Syria to do those things, and I am not in favor of providing assistance to the Syrian Government. But this legislation goes farther. It purports to cut off any assistance to the Syrian people, even through private voluntary organizations. I do not believe in punishing the citizens of a country simply because their government is corrupt or abusive, so I have concerns about this provision.

There are also aspects of Section 5 of the legislation, entitled "Penalties and Authorization," which concern me. For example, among the sanctions that the President could impose are a prohibition on U.S. businesses from investing or operating in Syria. It is not obvious to me how this will penalize the Syrian Government, but it will hurt U.S. businesses. While the record is mixed, there are examples of U.S. businesses contributing to social, economic and even political change in other repressive countries.

Of more concern is that the legislation encourages the President to reduce U.S. diplomatic contacts with Syria. I am uneasy with this approach, as I believe we should consider expanding our diplomacy and people-to-people contacts with Syria. It is in our interest to promote dialogue with a country with which we have such profound differences, and which poses a military threat to Israel. Reducing those contacts could further misunderstanding and exacerbate tensions between us. It is also worth mentioning that after the September 11 attacks, Syria reportedly cooperated with the United States in intelligence sharing about al-Qaida.

I do not believe this legislation will persuade Syria to do any of the things we want it to do. I am aware that the Administration has opposed it in the past. This legislation seems to start us down a road of intensifying tensions between the U.S. and Syria without a clear end game other than invading Syria, which I do not support and I doubt many other Senators support. However, I agree that Syria's support for terrorism and its violations of human rights deserve condemnation, and I will vote for this legislation with the caveats I have mentioned.

Mr. JEFFORDS. Mr. President, I do not support the passage of the Syrian Accountability Act. The situation in the Middle East is a delicate one. It calls for subtle, creative diplomacy as the United States seeks to support its troops in Iraq, promote the Arab-Israeli peace process, and combat terrorism.

While I agree with the goals of the Syrian Accountability Act, I am concerned that this legislation will undermine our ability to achieve those goals. In particular, I am opposed to the act's provisions that would mandate the imposition of new sanctions against Syria. I believe that these provisions would tie this or any future administration's hands in a way that will make the conduct of our foreign policy more difficult. A number of sanctions already exist against Syria by virtue of its designation as a state sponsor of terrorism. In addition, the President already has the authority to impose many of the sanctions set forth in this act. If we are to promote peace in the region and move Syria in a more positive direction, the United States must pursue an approach that is more nuanced and flexible than what is called for in this legislation.

Mr. CORZINE. Mr. President, I rise in strong support of the Syria Accountability Act, of which I am a proud cosponsor of the Senate companion. Syria is listed by the State Department as a state sponsor of terrorism, and yet fewer U.S. sanctions apply to Syria than to any other country on the list. This Act will authorize a range of sanctions against Syria, prohibiting exports to Syria of dual-use items and requiring the President to choose from a set of other sanctions, including prohibitions on exports of most U.S. goods to Syria and on American investment in Syria, restrictions on Syrian diplomats in the United States and on U.S. diplomatic contacts with Syria, prohibitions on Syrian aircraft in the United States, and blocking of transactions in Syrian government property.

These sanctions are appropriate, and, in my view, long overdue. Despite recent U.S. efforts to engage in dialogue with Syria, Damascus has refused to renounce its support for terrorism. It provides terrorist organizations with political and material support. It has turned away from negotiations with Israel. And it continues to occupy southern Lebanon, where its forces destabilize the Middle East by supporting Hezbollah and undermining Lebanese sovereignty.

Syria acts as the safe haven for a broad array of terrorist organizations and Palestinian groups committed to the destruction of Israel. Hezbollah, Hamas, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and the Popular Front for the Liberation of Palestine-General Command are all active in Damascus. The Syrian government has not only refused to sever ties with these organizations; it has defended their use of Syrian territory to disseminate propaganda that attacks Israel, thereby undermining efforts to bring peace to the region. Worse, the offices maintained by these groups provide operational support for terrorist activities, notwithstanding the Syrian government's claims that they are engaged only in

political and informational activities. These activities include the deadly and despicable suicide bombings, conducted by Hamas and Palestinian Islamic Jihad, against civilians in Israel.

Syria is also a supporter of Hezbollah, which is responsible for the killing of hundreds of Americans and is one of the biggest obstacles to our efforts to combat global terrorism. Throughout much of southern Lebanon, occupying Syrian forces support and protect Hezbollah, allowing it to deploy thousands of rockets that threaten Israel and destabilize the region, and to launch attacks against civilian targets in Israel civilian areas. Syria also permits Hezbollah to receive assistance from Iran.

The Syrian occupation of Lebanon represents a long-standing threat to stability in the Middle East. While Syria has reduced its forces in recent years, it still maintains as many as 20,000 troops and security personnel in Lebanon. In addition to harboring Hezbollah, those forces exert undue influence in Lebanon and prevent the Lebanese government from deploying its own troops to southern Lebanon, as required by U.N. Security Council Resolution 520. It is long past time for Syrian forces to withdraw from Lebanon and for Lebanon to cease to be a refuge for terrorist organizations, including Hezbollah.

Syria has not moderated its unrelenting hostility to Israel, nor has it demonstrated a commitment to negotiations. Moreover, it has used its position on the world stage and within the Arab world to undermine efforts to bring peace and stability to the region. As a frequent sponsor of U.N. resolutions related to the conflict in the Middle East, Syria has consistently promoted a perspective that castigates Israeli security measures without condemning the terrorist threat faced by Israel.

While I have long supported this act and welcome its passage, I believe that our ability to influence Syria's behavior and deter its support for terrorism also requires a multilateral strategy. The effect of this act will unfortunately be limited by the lack of support for sanctions against Syria among our friends and allies. It is critical that the administration demonstrate global leadership on this issue as well as other aspects of the war on terrorism. By reaching out to the international community and by appealing to our common interest in curtailing global terrorism and achieving peace in the Middle East, we can ensure that the sanctions we are imposing today are truly effective.

I yield the floor.

Mr. MCCONNELL. Since September 11, the bar for assistance in our war against terrorism has been raised, and the Syrian Government is no longer entitled to a free pass. The United States must no longer allow Syria to get away with taking with the right hand what it gives with the left.

Unfortunately, the Government of Syria remains an obstacle to peace in Iraq, settlement of the Israeli-Palestinian conflict—indeed, Syria has rebuffed repeated Israeli offers to make peace between Israel and Syria—democratic development and sovereignty for the Lebanese people, regional security, and the protection of human rights of the Syrian people themselves.

There is no doubt that Syria actively supports international terrorism. The evidence supporting this contention is overwhelming:

The U.S. State Department has certified Syria on its list of state sponsors of terrorism continuously since the 1970s. Syria's dubious company on this list includes Hussein's Iraq, Iran, Libya, North Korea, and Communist Cuba.

Syria provides material support and safe haven to numerous international terrorist groups, including Hezbollah, Hamas, the Popular Front for the Liberation of Palestine, and Islamic Jihad.

Syria allows terrorist groups to maintain training camps on Syrian soil. Indeed, in October, after a terrorist bombing in Haifa, Israel retaliated against a known Islamic Jihad terrorist training camp near Damascus.

Syrian-controlled southern Lebanon is a haven for anti-Israel terrorists and a staging ground for terrorist rocket attacks against Northern Israel.

Syria has facilitated the transfer of military equipment from Iran to terrorists operating in Syria-controlled Lebanon.

Syria maintains a robust chemical weapons program, raising the risk that Syria could transfer such weapons to terrorists.

In addition to Syria's long-time efforts to support the deadly aims of international terrorist groups, its government has played a decidedly unhelpful role in regional security. Most notably, the Syrian Government illegally collaborated with the Hussein regime to circumvent United Nations resolutions and has worked to undermine Iraqi democracy in the wake of the liberation of that country.

Although Syria voted for the recent U.N. resolution on Iraq, ostensibly expressing its support for the reconstruction of a free and democratic Iraq, Syria has used nearly every other opportunity to undermine the American-led coalition's efforts to liberate the people of that country from the brutal reign of Saddam Hussein. Furthermore, recent media reports indicate that Syria may have accepted and hidden Hussein's weapons of mass destruction before the U.S.-led invasion.

In addition, there are credible reports that Syria provided material support to Iraqi troops during the war and currently provides safe haven to former Hussein regime officials and loyalists. U.S. investigators have located \$3 billion hidden by the Hussein regime in Syrian banks, and Syria has refused to return this money to its rightful owners: the people of Iraq.

During the 1990s, Syria repeatedly defied U.N. sanctions against Iraq by participating in enormous black market purchases of oil from the Saddam Hussein regime. The proceeds from these sales directly supported Hussein's military regime and opulent lifestyle.

Syria has not acted sufficiently to curb cross-border movement of foreign terrorists, including a significant number of Syrian nationals, into Iraq. Indeed, in some circumstances, the Syrian Government appears to have facilitated their migration to that country; Syrian passports have been found in the possession of international terrorists arrested by the U.S. military there. These terrorists seek to wage jihad against American troops and undermine democracy in Iraq and throughout the Middle East.

In addition to Syria's unhelpful policies in Iraq, it remains a spoiler for the development of peace and democracy in Lebanon, a country it has forcibly occupied for decades. Its military occupation of Lebanon undermines Lebanese efforts to create a sovereign democratic state and furthers instability in the region. Syria, a dictatorship, wields considerable political control in Lebanon, thereby distorting Lebanon's officially democratic process and making that country a de facto puppet state of the Syrian Government.

Unconditional U.S. engagement of Syria has failed to encourage true moderation in Damascus; a new approach is necessary to encourage the Syrians to cooperate or face the consequences. Other Arab governments who say one thing and do another—such as Egypt—would be wise to pay attention to the congressional debate about, and support for, the Syrian Accountability Act.

I believe the Syrian Accountability Act will give the administration the tools it needs to highlight to the Syrian Government the risk of choosing the wrong side in the global war against terrorism. The Syrian Government has an opportunity to reform itself, to provide its people with the economic and political freedoms they seek, to end its support for murderous terrorist organizations, and to become a proponent of peace in the Middle East.

If Syria's leaders decide to embark on a moderate and peaceful path, it will find the United States to be a benevolent and helpful ally. But if it continues to support international terrorism, Syria's leaders will find themselves international pariahs, with fewer resources or friends to help them maintain their increasingly tenuous grip on power.

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the Syria Accountability Act of 2003, a bipartisan piece of legislation of which I am proud to be a cosponsor.

The time has come for the Senate to send a strong message to Syria that its support for terrorism, its occupation of

Lebanon, and its development of weapons of mass destruction are unacceptable and will not be tolerated.

This legislation, introduced by my friend and colleague from California, Senator BOXER, and Senator SANTORUM provides the President with maximum flexibility to target specific sanctions against Syria subject to a national security waiver.

Specifically, it requires that sanctions be imposed on Syria unless the President certifies that Syria: is not providing support for international terrorists; has withdrawn all military, intelligence, and other security personnel from Lebanon; has ceased the production, development, acquisition, or transfer of weapons of mass destruction and long range ballistic missiles, and; has ceased support for terrorist activities inside of Iraq.

If the President does not make such a certification, the bill requires the President to prohibit the export to Syria of military items and dual use technology and impose two or more sanctions from a list of options including: prohibiting the export of products of the United States—other than food and medicine—to Syria; prohibiting United States businesses from investing or operating in Syria; restricting the travel of Syrian diplomats in Washington, D.C. and New York; and reducing diplomatic contacts with Syria.

I, for one, believe that sanctions should be imposed only as a last resort and that all avenues should be explored to change another state's behavior before taking such action.

With regard to Syria, Congress has passed numerous resolutions calling on Syria to change its ways and Republican and Democratic administrations alike have made it clear that Syria's actions are wholly inconsistent with a peace-loving and productive member of the international community.

Nevertheless, words have not achieved the results we are looking for and as a result, we must take further substantive action.

Syria's behavior and actions leave a lot to be desired and have severely hindered the Arab-Israeli peace process.

First, it continues to be listed as a state sponsor of terrorism by the State Department and is reported by the Secretary of State to provide "safe haven and support to several terrorist groups" including Hizballah, Hamas, and the Popular Front for the Liberation of Palestine.

Despite repeated calls by Secretary of State Colin Powell that Syria cease its support for terrorism and close the facilities and offices of these groups, it has refused to do so.

Second, for over 20 years Syria has ignored United Nations Security Council resolutions and has failed to withdraw completely from Lebanon, maintaining 20,000 troops and security personnel in that sovereign country. The presence of those troops restricts the political independence of Lebanon and harms relations between Israel and Lebanon.

Finally, Syria has continued its development and deployment of short and medium range ballistic missiles and biological and chemical weapons. It has not signed the Chemical Weapons Convention and has one of the largest missile inventories in the Middle East. It is reported to have three production facilities for chemical weapons and has a stockpile of the nerve agent sarin.

In the post-September 11 world, we all understand the dangers posed by states who sponsor terror and seek weapons of mass destruction.

I had hoped that Syria would realize that it is in its best interests to turn a new page in its relations with the United States and the international community and cease its support for terror, withdraw from Lebanon, and halt its pursuit of chemical and biological weapons.

It has not done so and it is time for the United States Senate to respond. I urge my colleagues to support this legislation.

Mr. ALLEN. Mr. President, for decades, the United States has engaged the regime in Syria in the hope that Damascus would play a constructive role in bringing about Arab-Israeli peace. The U.S.-Syria relationship has been ongoing despite the fact that Syria has been ruled by dictatorship with an uninterrupted record of support for terrorism, specifically directed at Israel.

The results of U.S. engagement with Syria have been anything but positive. Throughout the years, Damascus has continued to support international terrorism directed at America and Israel, occupy Lebanon, develop a weapons-of-mass-destruction program, acquire ballistic missiles, and pursue policies counter to U.S. interests.

Since the liberation of Iraq, Syria has played a destabilizing role by allowing terrorist fugitives to enter Syria and by allowing mercenaries to cross into Iraq—or at least not stopping them—to engage U.S. troops. Syria has been able to conduct its policies—which are antithetical to U.S. interests—with near impunity. They have resulted in the loss of hundreds of American lives—especially when you consider the bombing of the U.S. Marine Corps barracks in Beirut in 1983.

Although Syria is listed—and has been since the 1970s—by the State Department as a state sponsor of terrorism, along with Iran, Libya, Iraq, Cuba, and North Korea, it has not faced the same degree of diplomatic and economic isolation that has been directed at other terrorist states. In fact, Washington maintains full diplomatic relations with Syria, making Syria the only designated state sponsor of terrorism to have such relations with the United States.

Syria's special treatment despite its support for terrorism should be over.

The events of September 11, 2001 have offered a window of opportunity to review many U.S. bilateral relationships and determine whether it is necessary

to change the dynamic—and often the status quo—that has characterized these relations. The administration and Congress have done this most notably with Saudi Arabia in seeking greater cooperation in the elimination of terrorist activities operating from Saudi soil.

Now is also an ideal time to reassess U.S. relations with Damascus and demand accountability in our relationship. Equally important, it is time for the Syrian leadership to make a tough choice: it is either with the United States completely in the war on terrorism, or it is not. Either way, shielding Syria from the same economic and political isolation directed at other terrorist states is unmerited and runs counter to U.S. principles in the war against terrorism.

As Under Secretary of State John Bolton stated in testimony before the House International Relations Committee on September 16, 2003, "Syria remains a security concern on two important counts: terrorism and weapons of mass destruction." Bolton added: There is no graver threat to our country today than states that both sponsor terrorism and possess or aspire to possess weapons of mass destruction. Syria, which offers physical sanctuary and political protection to groups such as Hezbollah, Hamas, and Palestinian Jihad, and whose terrorist operations have killed hundreds of innocent people—including Americans—falls into this category of state of potential dual threat.

Since the 1970s, the U.S. State Department has listed Syria as a state sponsor of terrorism. Specifically, in its "Patterns of Global Terrorism, 2002" report, the State Department found that the Syrian Government "has continued to provide political and limited material support to a number of Palestinian groups, including allowing them to maintain headquarters or offices in Damascus," although the Syrian Government insists that the groups' Damascus offices undertake only political and informational activities, not terrorist operations.

Syria maintains close relations with Iran, another autocratic regime listed by the State Department as a state sponsor of terrorism and a prominent financial, political, and military backer of these Palestinian terrorist organizations.

Moreover, Syria remains the de facto ruler of Lebanon, which it has forcibly and illegally occupied since 1990. Lebanon, the country in which more than 200 U.S. Marines died in 1983 following a terrorist attack on their Beirut barracks, remains a breeding ground and training center for terrorist organizations.

Terrorism has spawned in Syria due largely to Syria's opposition to the existence of Israel and its subsequent objection to an Arab-Israeli peace process. Although the United States has engaged Syria—and given it a prominent place in discussions—during the past

few decades, Damascus has long been an unwilling and uncooperative partner in bringing about Middle East peace. In fact, Syria did not endorse President Bush's Middle East "roadmap."

Syria also appears to be in the terror financing business. In April 2003, an Italian government study found that Syria functioned as a hub for an al-Qaida network that moved Islamic extremists and funds from Italy to northeastern Iraq, where the recruits fought alongside the recently defeated Ansar al Islam terrorist group.

And, on October 21, it was reported that U.S. Treasury Department investigators have evidence that \$3 billion that belonged to Saddam Hussein's government is being held in Syria-controlled banks in Syria and Lebanon. The Syrian Government has not yet granted Treasury officials access to these accounts, nor has it been willing to share any information about the account holders.

Let's review past U.S. policy toward Damascus. Despite all of Syria's irresponsible and threatening policies, successive U.S. administrations have been willing to engage the Syrian Government. For decades, the United States has pursued a policy of engagement with Syria, trying to win Damascus' support for Middle East peace but to no avail.

As part of this strategy, the United States has maintained full diplomatic relations with Damascus. It also has allowed U.S. companies to invest in Syria, something that cannot be done in other terrorist-sponsor states such as North Korea, Iran, Cuba, and Libya.

According to the Congressional Research Service, in 1999—the last year there was reliable data available—direct investment of U.S. companies into Syria was \$6 million, with 13 U.S. businesses having offices in Syria. While this may seem minuscule in terms of the dollar amount, it is notable because it is tolerated at all.

With the death of Syrian President Hafez Assad in 2000 and the ascendancy of his son Bashar to the presidency, there were high expectations that Syria would depart from its anti-Israeli policies and pro-terrorist support of the past and enact political and economic reforms, as well as become a positive influence and player in achieving Middle East peace. Three years into Bashar's term, such developments have not materialized—and without a catalyst to encourage such reform, it appears unlikely that Bashar will proactively change Syria's course.

We need a new approach toward Damascus. Continuation of the current U.S. policy toward Syria must end. For too long, it has been too ineffective and has allowed Syria to pursue with near impunity policies counter to U.S. interests. Moreover, it is unproductive and antithetical to the principles associated with the President's war on terrorism.

The U.S. must pressure Syria to play by the rules. Given that the government of Syrian President Bashar al-

Assad is relatively weak, and recognizing that Bashar deemed it necessary, or least desirable, to provide some assistance to the United States in apprehending al-Qaida, it should be possible to pressure Damascus into changing its policies. That said, Washington must demonstrate that it is serious about having Damascus drop its support of terrorism and its pursuit of policies that endanger peace and stability in the Middle East.

Therefore, to demonstrate American commitment, the United States should adopt the following measures in pressuring Syria: Enact the Syria Accountability Act now. Among the numerous provisions contained in the bill, the most notable include the calls for Syria to immediately and unconditionally halt support for terrorism; withdraw from Lebanon and provide for Lebanon's full restoration of sovereignty; halt development of certain weapons; and enter into serious unconditional bilateral peace negotiations with Israel.

This bill also states that Syria "should bear responsibility for attacks committed by Hezbollah and other terrorist groups with offices, training camps, or other facilities" in Syria or Lebanon. Further, the bill states, that being in violation of key United Nations Security Council resolutions and pursuing policies which undermine international peace and security, "Syria should not have been permitted to join the United Nations Security Council or serve as the Security Council's President, and should be removed from the Security Council."

Pursuant to the legislation, the United States is empowered to "will work to deny Syria the ability to support acts of terrorism and efforts to acquire weapons of mass destruction, WMD." In addition, the United States will not provide any assistance to Syria and will oppose all forms of multilateral assistance to Syria until Damascus withdraws from Lebanon and halts its pursuit of WMD and ballistic missile accumulation.

Until Syria enacts these measures, the President is required to prohibit: the sale of defense articles to Syria that require the issuance of an export license—dual-use items; U.S. businesses from investing in Syria; and export of any goods other than food and medicine to Syria. Diplomatic relations also must be reduced but the degree of that is not defined. The President is given waiver authority for 6-month periods for all of these categories, except the export of dual-use items if it is determined that "it is in the vital national security interest" to do so.

The Bush administration should apply uniformity in its policies toward terrorist-sponsoring states. Therefore, the administration should not allow U.S. companies to invest in Syria because it sends the signal that Syria is receiving special treatment from Washington. A fairly dramatic reduction of

U.S. diplomatic representation would perhaps strongly suggest to Syria that it is not an American ally and will not be one until it starts acting like one.

Sending a strong message is key.

The United States should apply the proliferation security initiative, PSI, and sanction WMD suppliers. The administration has successfully developed and employed a plan, known as the proliferation security initiative, PSI, to interdict illicit weapons shipments and contraband. PSI was announced by President Bush on May 31, 2003. It involves robust cargo inspections and possible interdiction of WMD materials and illegal arms, based on pooled intelligence among participating countries. To date, 11 nations form the core PSI group: Britain, France, Germany, Australia, Japan, Italy, Spain, Portugal, Poland, the Netherlands, and the United States. While most of the initial PSI activities have focused on North Korea, attention should be paid to Syria—and Iran—with the goal of halting the flow of weapons technology both in and out of Syria.

A critical complementary strategy to PSI is using sanctions on countries that supply Syria with weapons and WMD technology. The People's Republic of China, Pakistan, Russia, Iran, and North Korea are known proliferators of these materials, with Russia and North Korea being key suppliers to Syria.

As part of a wider U.S. policy, the administration should attempt to convince its PSI allies to also use sanctions against WMD suppliers.

In conclusion, Syria's actions in the Middle East—and in Iraq, specifically pose a clear, near-term threat to regional stability and to the safety and security of American forces serving in the region.

With the removal of Saddam Hussein's regime in Iraq and the defeat of the Taliban regime in Afghanistan, the United States has made clear that state support for terrorism will no longer be tolerated.

It is overdue for the United States and like-minded nations to hold Syria accountable for its actions. Syria's new head of state has had ample time to make the choice whether Damascus is with the United States as a partner or not in fighting the war on terrorism.

If Syria is not, then it should face the diplomatic and economic consequences as set out in the Syria Accountability Act. As a sponsor of the Senate version, S. 982, I respectfully urge my colleagues to vote for this important measure in the form of H.R. 1828, as amended.

Mr. HATCH. Mr. President, I stand in support of the Syria Accountability Act, H.R. 1828, which the House of Representatives passed, 398-4, last month. I am an original cosponsor of the Senate bill, S. 982, introduced by my colleagues, Senators SANTORUM and BOXER, which has over 80 cosponsors as of today. Today, I support the amend-

ment to H.R. 1828 submitted by my able colleague and chairman of the Senate Foreign Relations Committee, Senator LUGAR, in coordination with Senators SANTORUM and BOXER. I commend my colleagues for their good work.

It is well within Congress's prerogative to write and implement sanctions, but the practice of doing so, as the chairman of the Senate Foreign Relations Committee knows so well, can raise important points about the overall constitutional prerogative of the executive in its right to conduct foreign policy. The amendment prepared by Senator LUGAR, in cooperation with the original sponsors of the bill, preserves the prerogatives of both branches of government, and, at the same time, I believe, unifies and solidifies our nation's policy on the question of terrorism, and, in particular, Syria's contribution to peace, stability and progress in the Middle East.

Quite frankly, Syria has largely failed to contribute significantly to peace and stability in the Middle East, a stability that U.S. blood and treasure is now invested to achieve. We have watched the administration give Syria ample opportunities, since September 11, 2001, to make its contribution. Quite frankly, Mr. President, the administration flattered the Damascus dictatorship by giving it this time to join with the civilized world in unequivocally renouncing terrorism completely, as well as dismantling all manifestations of material and political support for terrorist organizations.

Some suggest that Syria has played a game of sitting on the fence, when it came to the war on terrorism. However, Mr. President, Syria was never on the fence. Syria is on the other side of the fence, with the other state sponsors of terrorism we have labeled as such since 1979. And today I will agree with what Secretary Powell told President Assad earlier this year: By refusing to cooperate, he was "on the wrong side of history."

Since 1979, Syria has appeared every year on the State Department's list of state sponsors of terrorism. It has been so identified for its role in terrorist acts, as well as the support it gave—and continues to give, to this very day—to Hamas, Palestinian Islamic Jihad and Hezbollah, terrorist organizations that, to this very day, organize and commit acts of aggression or terrorism.

Throughout the 1990s, Syria played coy with U.S. administrations attempting to engage it in the Middle East peace process. Who can forget the scene of the long-suffering Secretary of State, Warren Christopher, waiting hours outside of Hafez Assad's office on his umpteenth visit, at the very same time Iranian weapons were being transferred to Hezbollah at the Damascus airport? Who can forget President Clinton's futile attempt in Geneva, near the end of his term and near the end of Assad's brutal life, to re-engage the



dictator in peace talks? On the question of peace or normal relations with Israel, in every aspect but the desire to reclaim territory for itself, Syria has most definitely been a rejectionist state.

There are persistent reports that Syria has a stockpile of chemical weapons, including sarin and possibly also VX, which it could combine with one of the largest missile stockpiles in the Middle East. Coalition forces are not in Iraq to rid that former dictatorship of its weapons of destruction while we look the other way on similar weapons held by another Ba'athist regime. The era of that ideology of Arab oppression, along with the threat of weapons of mass destruction to maintain that oppression, is over.

Syria has not assisted us in our historic mission in Iraq. Joining the Security Council in unanimous approval of Resolution 1441, the Syrians were quick to denounce the threat and use of force to achieve the goals of the resolution. Since the beginning of Operation Iraqi Freedom, our officials—from the President, to the Secretary of State, to the Secretary of Defense—have publicly criticized Syria for its lack of cooperation. Syria's border has remained open to fleeing Ba'athist officials, and to international terrorists anxious to die fighting against Coalition forces. Our officials believe that Syria holds up to \$3 billion of Saddam's ill-gotten loot, funds that the Governing Council could use for reconstruction, funds that would lessen the obligations we have undertaken in this body this week.

Syria invaded Lebanon more than a quarter-century ago, and maintains approximately 15,000 troops there to this day. Throughout this period, Syria has backed the Shi'ite terrorist organization, Hezbollah, an organization that has been tied to terrorism around the world. Twenty years ago, a Hezbollah suicide bomber killed almost 300 U.S. Marines as they slept in their barracks in Beirut. Hezbollah continues to attack across borders, shelling Israel as late as last week. Nothing Hezbollah does is without Syrian sanction. The Middle East will not see peace, and the United States should not consider itself secure as long as Hezbollah, with its Syrian backers, exists.

So it is time to go to the source and sanction Syria. This bill outlines a series of goals and commensurate diplomatic and economic sanctions to apply to the Syrian regime. It maintains flexibility of policy choice for the administration, but it is clear in stating the Congress's intent, in resolve and policy, to further isolate the decrepit dictatorship in Damascus.

I do not know if this bill will motivate Damascus to cross the fence and join the anti-terror coalition of civilized nations. I suspect that to believe so would be Pollyannaish. But I do believe that the way we act today will declare to the Damascus dictatorship that there are costs to being on the wrong side of the fence in the war on terror.

September 11, 2001 began a new era in U.S. foreign policy, and the President's policies since that watershed event have been based on clarity of vision. Against the threat of terrorism, which lurks and breeds in the shadows, we have responded with clarity of purpose. Against the traditional approaches of diplomacy, which balance nuance against process, we have demanded progress. Against previous approaches that part-time antagonism toward a mutual enemy should be rewarded with full-time tolerance of non-compliance with our stated goals, we say today: No longer.

President Assad will receive this message clearly. Perhaps Syria will modify its behavior. If it does not, Syria can join the list of rogue states who failed because they challenged the order of the civilized world.

The American public has read reports in the press about Syria's cooperation with us in identifying, in the months after September 11, members of Al-Qaida. I have read no where, nor have I heard any analyst argue, that such cooperation was because Syria was dedicated to our defense, or to our global war on terrorism. Since then, the American public has heard many members of the current administration express disappointment with Syria's behavior, and they have seen many reports of Syria's lack of cooperation. And one thing is clear in a democracy, Mr. President: Our foreign policy must have the support of the public.

I will always respect the President's foreign policy prerogative, and I have defended the executive's prerogative under Republican and Democratic administrations. I have supported "quiet diplomacy" for small results. But a diplomacy that produces invisible results is not quiet, it is silent. Today, I believe the members of the President's administration agree with me.

For the reasons I have stated here, this bill will pass overwhelmingly, as it did in the House of Representatives. We may consider this the Senate's contribution today to the war on global terrorism.

Mr. CHAFEE. Mr. President, today the Senate is voting on H.R. 1828, the Syria Accountability Act. I would like to explain to my colleagues why I will be voting against this legislation.

As chairman of the Foreign Relations Committee's Near East Subcommittee, I have come to appreciate the great importance of U.S. leadership in working to restart the Middle East peace process. In recent visits to the region—the West Bank, Jordan, Iraq, Turkey and Afghanistan—I heard a uniform chorus in these Arab and Muslim nations that active United States involvement was urgently needed to halt the continuing violence between Israel and the Palestinians. I regret that this administration has not actively responded to these pleas for peace.

I have also learned that our disinterest in becoming involved in Middle East peace has contributed to the

sharply declining image of the United States in the Arab/Muslim world. Indeed, according to the recently released report of the Advisory Group on Public Diplomacy for the Arab and Muslim World—"the Djerejian report"—hostility toward America has reached shocking levels, and the bottom has fallen out of Arab and Muslim support for the United States. The report also documents that "large majorities in the Arab and Muslim world view United States policy through the prism of the Arab-Israeli conflict."

I am troubled by these developments and fear that the administration's emerging hard line toward Syria, in addition to passage of this bill, will only add fuel to this fire. It is true that the Syrian Government can do more to work with the United States in combating terrorism in the region, and the administration has made some very clear requests of the Syrian Government. But if Syria does not respond to our requests, most, if not all, of the sanctions contemplated by the Syrian Accountability Act can already be imposed by the administration. This means that a bill that is widely perceived as a crackdown against Syria has little substantive effect. Indeed, Patrick Clawson of CSIS testified to our committee last week, "Some might say that the act is largely symbolic, but do not underestimate the importance of symbols." And that concerns me, because the symbol of the United States as cracking down on an Arab nation ultimately harms our interests in many very important parts of the world.

So in reality I would describe this bill as a "lose-lose" for the United States: We're getting little additional muscles against Syria while further antagonizing the Arab world. I urge my colleagues to vote "no" on this bill.

Mr. BYRD. Mr. President, Syria has long been considered by the United States to be a rogue state. Syria continues to associate with terrorist groups, including those that have carried out ruthless attacks that set back the cause of peace in the Middle East, leading it to be placed on the State Department's list of state sponsors of terrorism. Syria has occupied Lebanon continuously since 1976, in violation of U.N. Security Council Resolution 520.

The United States is justified in seeking to apply political and economic pressure on Syria to change its foreign policy. However, I will vote against the Syria Accountability Act.

Of the 22 pages of this bill, only six pages relate to sanctions that the United States may apply to Syria. The other pages contain 51 clauses of findings, senses of Congress, and statements of policy. These nonbinding provisions build a case against Syria, and I fear that those provisions could later be used to build a case for a military intervention against Syria.

In many cases, the non-binding clauses in the bill appear to gloss over the complex situation with respect to

Syria. For example, on page 11, the bill speaks of "hostile actions" by Syria against U.S.-led forces in Iraq. Yet, the evidence is inconclusive as to the role of the Government of Syria in the attacks that have been carried out against our troops in Iraq. Such insinuations could be used to build the case for a preemptive military intervention against Syria, which, unfortunately, is a very real possibility because of the dangerous doctrine of preemption hatched by the administration.

Other language in the nonbinding clauses may simply be ill-considered. For example, on page 7, the bill quotes an unclassified CIA report that says that it is "highly probable" that Syria is working on biological weapons. In the very next clause, however, the bill quotes an Under Secretary of State as saying that Syria "is pursuing" the development of biological weapons. It is exactly this kind of shading of intelligence probabilities becoming certainties for which Congress has criticized the administration and its intelligence agencies for creating the hysteria that led to war in Iraq. Could Congress be so willing to make the same mistake with respect to Syria?

The United States should use economic and diplomatic leverage to pressure Syria to change its support for terrorism and alter its foreign policy. The sponsors of this legislation have made improvements to several non-binding provisions in this bill, and they have worked to address some of my more serious concerns. While I appreciate their cooperation, I still cannot support this legislation. The findings, statements of policy, and sense of Congress provisions in the Syria Accountability Act could be used to build a case against Syria that could too easily be hyped to imply congressional support for preemptive military action against that rogue state. I will vote against this bill because of that dangerous course that it may portend.

Mr. LUGAR. Mr. President, how much time remains?

The PRESIDING OFFICER. There remains 1 minute 54 seconds.

Mr. LUGAR. Mr. President, I note no more Senators on our side of the aisle wish to speak. Therefore, I yield the remaining time.

The PRESIDING OFFICER. All time is yielded back.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. LUGAR. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The yeas and nays are ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Colorado (Mr. CAMPBELL) and the Senator from Nebraska (Mr. HAGEL) are necessarily absent.

Mr. REID. I announce that the Senator from Florida (Mr. GRAHAM), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Nebraska (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) and the Senator from Nebraska (Mr. NELSON) would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 4, as follows:

[Rollcall Vote No. 445 Leg.]

YEAS—89

Akaka	Dodd	McCain
Alexander	Dole	McConnell
Allard	Domenici	Mikulski
Allen	Dorgan	Miller
Baucus	Durbin	Murkowski
Bayh	Edwards	Murray
Bennett	Ensign	Nelson (FL)
Biden	Feingold	Nickles
Bingaman	Feinstein	Pryor
Bond	Fitzgerald	Reed
Boxer	Frist	Reid
Breaux	Graham (SC)	Roberts
Brownback	Grassley	Rockefeller
Bunning	Gregg	Santorum
Burns	Harkin	Sarbanes
Cantwell	Hatch	Schumer
Carper	Hollings	Sessions
Chambliss	Hutchison	Shelby
Clinton	Inhofe	Smith
Cochran	Johnson	Snowe
Coleman	Kennedy	Specter
Collins	Kohl	Stabenow
Conrad	Kyl	Stevens
Cornyn	Landrieu	Sununu
Corzine	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Voinovich
Daschle	Lincoln	Warner
Dayton	Lott	Wyden
DeWine	Lugar	

NAYS—4

Byrd	Enzi
Chafee	Jeffords

NOT VOTING—7

Campbell	Inouye	Nelson (NE)
Graham (FL)	Kerry	
Hagel	Lieberman	

The bill (H.R. 1828) was passed, as follows:

Mr. FRIST. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I am proud of my colleagues throughout the Senate for the overwhelming support just given on the Syria Accountability Act. I believe this bill sends an unambiguous signal to the administration and to the Syrian regime that the Congress considers Syrian support for terrorism, its occupation of Lebanon, and its pursuit of dangerous weapons all significant threats to the United States and to global security.

I am particularly concerned that this administration has let Syria off the

hook. Despite the support the Syria Accountability Act just had, there are waivers that concern me. Syria's record is not one that we can look at with any assurances that they are going to do what they have to.

The administration claimed that al-Assad's regime's support for the global war on terrorism is so valuable that he should not be pressed on other issues, including the failure of the Syrians to secure the Iraqi border, thereby permitting the constant infiltration of foreign terrorists pouring into Iraq.

Apparently, the Syrians must have shared intelligence about al-Qaida, and FBI and CIA officials have reportedly met in Syria with Syrian intelligence officers to discuss terrorism. The Syrians have also helped to capture a top al-Qaida figure, a Syrian-born German citizen who is part of the Hamburg cell that planned the September 11 attack.

So while Syria might be sharing information on al-Qaida, at the same time it is deliberately thwarting the Palestinian-Israeli peace process.

Syria harbors leaders who order, plan, and finance terror attacks against Israeli citizens. Operatives of the Islamic Jihad, Hamas, the Popular Front for the Liberation of Palestine, and the al Aqsa Martyrs Brigades, which I might add is a terrorist group affiliated with Yasser Arafat's political party FATAH, are regularly receiving training in Syrian camps.

So what is perplexing is why this administration has refused to force the Syrians to stop training Palestinian extremists even as it promotes a resolution of the Palestinian-Israeli conflict.

No Palestinian roadmap to peace, no negotiations will be successful between Palestinians and Israelis as long as Syria continues to occupy Lebanon and to train and churn out suicide bombers.

I am worried that the administration has made a cynical tradeoff, focusing on supposed Syrian support for the hunt for al-Qaida while ignoring the Syrian's deliberate obstruction of the peace process.

Last month, when the Islamic Jihad successfully blew up an Arab-owned seaside restaurant in Haifa, killing 19 Israelis, including 5 Palestinian Israelis, Israel responded by striking one of the Palestinian training camps, choosing a time when it was empty to avoid collateral damage. The Bush administration responded with a bland statement urging both Israel and Syria to avoid actions that heighten tensions or could lead to hostilities.

Despite President Bush's call for Damascus to expel terrorist organizations from Syria and close down its camps, the Syrians have directly refused. They have made a mockery of President Bush's famous claim that you are "either with us or against us in the war on terrorism."

We in the Senate have just passed the Syria Accountability Act, but Syria will not be held accountable until the administration decides to end its trade-offs in the global war on terrorism,

prioritizing the fight against some forms of terror over others.

The message we want to send has to be clear and direct. We will not tolerate any support for terrorism, especially among those who purport to be our friends.

Everyone has seen the Syrian action in Lebanon and we know how treacherous that is. They occupy the country and pretend they want to make peace, but they do not want to. They have not indicated by their actions that they want to.

I yield the floor.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004—CONFERENCE REPORT—MOTION TO PROCEED

Mr. FRIST. Mr. President, it is my hope that we can go next to the Defense authorization conference report. We have some Senators who may want to make closing remarks, and then we would like to adopt this important conference report during today's session. I think it is fitting that the Senate act on this measure today, on Veterans Day.

Having said that, I ask my Democratic colleagues if they are prepared to allow for a 3-hour debate limitation prior to a vote on adoption of the Defense conference report.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we have no problem going to the conference report today. We do not need a vote on the motion to proceed. We would go to that. We have our Congressional Medal of Honor winner, Senator INOUE, who asked to be present when we vote on this conference report, and I think we should do that. He is somebody we all look upon as a hero, and he is doing veterans ceremonies in his State. We have no problem debating the bill today.

Mr. WARNER. Mr. President, will the Senator yield?

Senator STEVENS told me he would be back here at about 6:30.

Mr. REID. We would be happy to have 4 hours of debate today, equally divided, and a vote on it early in the morning, but we would rather not vote on the matter today. I would be happy to offer a consent request that we would complete our debate on it today, and vote on it, with maybe 5 minutes equally divided, early in the morning, at whatever time the leader chooses.

Mr. FRIST. Mr. President, we have a number of Senators who believe strongly that we ought to go ahead and bring this bill up, that we should debate it, and that on Veterans Day we should have that opportunity to vote on that bill, if at all possible. Therefore, I will not agree to put the vote off until tomorrow. We will be bringing it to the floor, and I think then we will have discussion, debate today, on this Veterans Day. We will see how it goes, and we may or may not be voting later tonight.

Mr. President, reclaiming the floor, thus, we have Members who would like this rollcall vote. Having said that, I move that the Senate proceed to the consideration of the conference report to accompany H.R. 1588, the National Defense Authorization Act, and I ask for the yeas and nays on the motion.

The PRESIDING OFFICER (Mr. CHAFEE). Is there a sufficient second?

Mr. REID. Mr. President, if I could ask a question.

The PRESIDING OFFICER. There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, could we keep this vote open for a little extra time, maybe an extra 20 minutes? We need 30 minutes because we have a Senator who is 30 minutes away. I know it is unusual to have a vote that long, but maybe this one time.

The PRESIDING OFFICER. The motion is not debatable. It would require a unanimous consent.

Mr. REID. I withdraw any request I have.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to the consideration of the conference report to accompany H.R. 1588. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Colorado (Mr. CAMPBELL), the Senator from Nebraska (Mr. HAGEL), and the Senator from Arizona (Mr. KYL) are necessarily absent.

Mr. REID. I announce that the Senator from Indiana (Mr. BAYH), the Senator from California (Mrs. BOXER), the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Georgia (Mr. MILLER), and the Senator from Nebraska (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) and the Senator from Nebraska (Mr. NELSON) would each vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 1, as follows:

[Rollcall Vote No. 446 Leg.]

YEAS—87

Akaka	Carper	DeWine
Alexander	Chafee	Dodd
Allard	Chambliss	Dole
Allen	Clinton	Domenici
Baucus	Cochran	Dorgan
Bennett	Coleman	Durbin
Biden	Collins	Ensign
Bingaman	Conrad	Enzi
Bond	Cornyn	Feingold
Breaux	Corzine	Feinstein
Brownback	Craig	Fitzgerald
Bunning	Crapo	Frist
Burns	Daschle	Graham (SC)
Cantwell	Dayton	Grassley

Gregg	Lott	Sarbanes
Harkin	Lugar	Schumer
Hatch	McCain	Sessions
Hollings	McConnell	Shelby
Hutchison	Mikulski	Smith
Inhofe	Murkowski	Snowe
Jeffords	Murray	Specter
Johnson	Nelson (FL)	Stabenow
Kennedy	Nickles	Stevens
Kohl	Pryor	Sununu
Landrieu	Reed	Talent
Lautenberg	Reid	Thomas
Leahy	Roberts	Voinovich
Levin	Rockefeller	Warner
Lincoln	Santorum	Wyden

NAYS—1

Byrd

NOT VOTING—12

Bayh	Graham (FL)	Kyl
Boxer	Hagel	Lieberman
Campbell	Inouye	Miller
Edwards	Kerry	Nelson (NE)

The motion was agreed to.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004—CONFERENCE REPORT

The PRESIDING OFFICER. The clerk will report the conference report. The assistant legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1588), to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of conferees on the part of both Houses.

The Senate proceeded to consider the conference report.

(The conference report is printed in the RECORD of November 6, 2003)

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. As chairman of the Committee on Armed Services of the Senate, together with my distinguished colleague from Michigan, the ranking member, we are proud to bring a conference report on national defense authorization for fiscal year 2004 for final passage.

It is fitting that we consider this important legislation on Veterans Day, a day when our Nation pauses to honor those who serve in the Armed Forces, their families, and those who have gone before them, proudly defending our Nation's freedom.

I was deeply moved earlier today by the number of Senators on both sides of the aisle who spoke out with a sense of reverence and respect on this Veterans Day, November 11, 2003.

This bill provides much needed benefits to those now serving, and their families, in the Armed Forces, as well as addressing longstanding needs of military retirees and veterans. This has been an unusually interesting and somewhat lengthy conference. In my 25 years, I think Senator LEVIN and I

would indicate that it was quite a challenge, but I commend the distinguished chairman of the House Armed Services Committee, Mr. HUNTER, his colleague, the ranking member, the gentleman from Missouri, Mr. SKELTON, and above all my own partner of these 25 years, Senator LEVIN.

We had many challenging issues to resolve. Among them, of course, the base closure issues commonly referred to as BRAC; another category of provisions with regard to trade commonly referred to as Buy America, and the concurrent receipt issue which was pioneered in the Senate both last year and again this year.

We did resolve these issues. I say "we," because, again, it was a partnership of the four of us working together for these several months. I am proud that we achieved our goals of concluding a conference which sent a strong message of support to our men and women in uniform and their families, wherever they are in the world today.

An undertaking of this magnitude is ultimately a bipartisan effort. I am proud in my many years on the committee, together with Senator LEVIN we have carried on the tradition of our predecessors, Senators Nunn and Tower and Goldwater and Stennis and Jackson. These were men of enormous distinction. We are proud to have that reputation as a committee. It prevails to this day and I hope on into the future.

I especially thank those who worked with me, all the members of the committee, not only my distinguished ranking member but the chairmen of the subcommittees and their ranking members. They all put in tireless efforts to make this bill possible. It is probably one of the largest, if not the largest money bill passed by the Senate, in terms of authorization. I readily salute and thank them for their many hours of work to make it possible.

No committees succeed without a dedicated professional staff. I think the staff of the Armed Services Committee is envied throughout the Senate, again, for its bipartisanship, for its long hours and, in many instances, for its original thinking which Members accept and incorporate into their legislative creations.

I especially want to recognize the efforts of the staff director of the Armed Services Committee, Mrs. Judy Ansley, and the Democratic staff director, Richard DeBobes, veterans of many years on the staff of Armed Services. Mrs. Ansley was my staff director when I was ranking member of the Intelligence Committee. She is an extraordinarily accomplished woman who proudly but humbly holds the title of the first woman in the history of the Senate to be the chief of staff of the Armed Services Committee. They have led a great staff of their subordinates, all of whom deserve—I wouldn't say equal credit, but nearly equal credit to the staff director and the Democratic staff director.

This staff worked long hours and helped Members reach the agreements that are contained in the conference report before us. It is always a challenge to the staff when it comes to conference. They are always ready to step up and accept that challenge and help us produce this conference report.

I believe it is a strongly bipartisan bill that serves the best interests of the men and women of our armed services and of our Nation today. I urge its swift passage to my colleagues.

As we stand here today beginning this conference report debate, hundreds of thousands of soldiers, sailors, airmen, and marines, active and reserve, guard, and countless civilians who have worked for many years in the Department of Defense and who support the troops—they collectively are serving bravely around the world, from the Persian Gulf region in Afghanistan, to Europe, North Korea, and on down as far as Australia, New Zealand, and that part of the world. All Americans are justifiably proud of what the U.S. Armed Forces and their coalition partners have accomplished in Iraq, Afghanistan, and in the global war on terrorism. It is far from over. But never let it be said those in uniform and their civilian counterparts have not done their duty.

We are ever mindful the defense of our homeland begins on the distant battlefields. To the extent that we can contain the threats on those battlefields or those areas which are not battlefields but are potential battlefields, the less likely that we would experience a problem here at home—as we reverently refer to 9/11 in our history.

As we begin this debate, we must pause and remember that military success is not achieved without sacrifice. Thankfully, Operation Iraqi Freedom and Enduring Freedom were remarkably swift in terms of days, weeks, and months. But no matter how well conducted those operations were, and are continuing, military victory does not come without sacrifice and loss. We extend our heartfelt sympathies to the families and loved ones of those who have lost their lives in these operations and in other military operations to make America and the world safe.

I also pause to say we think foremost about those who have given their lives, but many have given their limbs. They have bodies which have been wounded. Those wounds, in some instances, are carried for the rest of their lives. So let us keep in mind those who suffer the scars of war and those families which lovingly nourish and care for them and will in the years to come.

We mourn the loss of all of our soldiers and resolve to forever remember their service. In this month of Thanksgiving it is especially appropriate that we give thanks to those who serve and have served their Nation with distinction throughout its history.

I wear the poppy in my lapel today. It is now distributed all across America for veterans organizations. It reflects

on the sacrifices of World War I—the enormity of the casualties this Nation suffered in that war. I am always especially proud of my father, a young doctor who served in that conflict in France, in the trenches, and cared for the wounded.

We are blessed to have this new generation of great Americans, so committed to American traditions, values, and ideals, carrying on the traditions of those who preceded them, with equal dedication, with equal valor. Without a doubt, the U.S. military is the most capable military force in the world today. We don't say that boastfully; we say it factually. It is a model of excellence and the standard by which others are measured. The provisions in this conference report sustain and improve on that excellence.

Throughout its history, America has never gone forward from our shores, in harm's way, to try to take the land, the possessions from others. There have been instances where we have had to occupy for a period. But by and large, we have always gone, and most certainly in two of these conflicts today, the two principal ones—Iraq and Afghanistan—we are there solely in the cause of freedom.

We must send a strong message of support to these men and women in uniform serving on the distant posts throughout the world, indeed the battlefields. They are bravely protecting our Nation here at home. By passing this important legislation today, we send that message. This conference report contains much deserved pay and benefits for military personnel and families, much needed increases in family housing and quality of life projects on military installations, as well as prudent investments in the equipment and technology our military needs to successfully counter future threats. We must always be looking, not 1 year, not 2, but decades in the future, to try as best we can to ascertain what is the threat to freedom here at home, to freedom abroad, and to fashion those weapons to enable the Armed Forces of the United States, together with coalition forces with which we have fought in World War I and World War II and on the battlefields of Korea and in the battlefields today, to give those weapons to those brave persons to use them in the cause of freedom.

The conference report also makes significant improvements in the benefits for disabled veterans, as well as an important new benefit for members of the Reserve component who play such an important role in our national security.

When I use the word "Reserve," I include the reservists equally as the National Guard. Sometimes it is a confusing term for those who are listening. By no means do I exclude either the Guard or Reserve. It is a total force.

I remember so well when I was privileged to serve in the Pentagon as Navy Secretary when Melvin Laird, the Secretary of Defense at that time, coined

the idea of having a "total force" and to discontinue the draft. It was a calculated risk, but we did it. It succeeded largely because there are many men and women of the Armed Forces today who are proud to say, "We are volunteers", or "all volunteers." Fortunately, the National Guard and the Reserve have established themselves as a strong and equal partner in this total force concept.

This conference report endorses the President's budget request for defense in fiscal year 2004. And I wish to commend the President and the Secretary of Defense and all of those who prepared this budget that came to the Congress. It is largely incorporated in the conference report before us today. That report continues the momentum of recent years in making real increases in defense spending to sustain readiness, enhance the quality of life of our military personnel and their families, modernize and transform the U.S. Armed Forces to meet current and future threats, and take care of our retirees and veterans.

The conference report before us provides \$401.3 billion for defense, including \$74.2 billion for procurement, \$63.4 billion for research and development, and \$114.4 billion for current readiness. This is in addition to the \$65.5 billion for the Department of Defense contained in the supplemental we just passed to sustain our forces in Iraq and Afghanistan and elsewhere in the world during fiscal year 2004. This conference report will authorize the Department's portion of the supplemental.

I once again commend the very brave and courageous and determined President of the United States in going to the American people and saying these funds are necessary not only to protect our freedom but the freedom of peoples throughout the world wherever we can work with our coalition partners in achieving those goals.

There are many provisions of this report that are important and of which I am very proud. I want to highlight just a few.

First and foremost is the 4.1 percent pay raise for the men and women in uniform, and the extension of special imminent danger pay, family separation allowances, and other benefits for those in harm's way. We are asking a lot of our men and women in uniform and their families in these challenging times, and they have never failed to respond. Their pay raise and extension of combat benefits contained in this conference report signal our strong support to those troops and their families.

For years, we here in Congress have been grappling with how to resolve the problem with concurrent receipts—an inequity that many use in our compensation system for disabled military retirees. By law, military retirees are prohibited from collecting both their hard-earned military pay and their disability pay. Last year, we were able to establish a new form of special compensation for military retirees with

combat-related disabilities—so-called Purple Heart Plus. It was really conceived right in this very Chamber by a number of individuals, including Senator LEVIN, Senator HARRY REID of Nevada, Senator MCCAIN, and a number of other veterans who recognized that this was needed and that it was time. That was a start. We called it a beachhead. I am very pleased we have been able to expand on that beachhead in this conference report by extending the special compensation for combat-related disabilities to military retirees with disabling conditions due to combat or combat-related operations, and by phasing in full concurrent receipt over 10 years for those retirees with disabilities rated at 50 percent or greater. This is a major step forward.

I remember the day when there were three Senators standing right there in the well—Senator REID of Nevada, my distinguished ranking member, Senator LEVIN, and myself—and at that time the Senate bill had a concurrent receipt provision in it; the House bill did not. By voice vote, we passed that amendment and put it in this bill. By virtue of that action—not just the three of us; I happened to be here at that moment, but many others who had worked this issue—that was the beginning, that was the engine that finally drew this train out of the barn and down the tracks to where we are today. I think it is a successful achievement. And many in this Chamber made it possible. The Senate had that provision in its bill.

With respect to the controversial "Buy America" provisions, I believe the conferees reached a balanced compromise that shows our support for a strong U.S. industrial base without undermining our important defense cooperation and defense trade relationships with our allies.

The conference agreement also removes several unnecessary barriers to defense trade which are contained in current law. The "Buy America" provisions have the full support of all relevant agencies and the administration. The final version went through many iterations.

I commend the Director of the Office of Management and Budget who, working with the Chief of Staff of the White House, put this bill together in final form at the request of myself and others. With the President's goals clearly in mind, this revision was incorporated in this conference report.

My colleagues and the distinguished chairman of the House Armed Services Committee did a great deal of work on this provision. He was tenacious in his desire to see that this bill contained provisions important to the preservation of our industrial base, and those goals were achieved at the same time in a manner that is consistent with our goals as a nation of free trade.

A part of this conference report of which I am particularly proud is the provision which authorizes a program to begin replacing our aerial tanker

fleet with new aircraft through a lease of no more than 20 KC-767 aircraft and a multi-year procurement of an additional 80 aircraft. Extensive analysis by the General Accounting Office and the Congressional Budget Office indicated the multi-year lease pilot program proposed by the Air Force would be significantly more expensive than a traditional procurement. After a hearing before the Committee in September 2003, the Department was asked to examine alternatives where a fewer number of aircraft were leased, with the rest of the 100 aircraft purchased under a multi-year procurement program. This examination confirmed that the fewer aircraft leased and the more aircraft purchased, the greater the savings. These findings have resulted in a conference agreement that will give the Armed Forces the modern equipment they need, but will save the American taxpayer over \$4.0 billion over original proposals. This is a win for the Air Force and a win for the American people.

The civilian personnel system of the Department of Defense has been in need of reform for some time. The Secretary of Defense had the vision to determine that this had to be revised subsequent to the just earth-shaking, dramatic event of 9/11. He made a very strong personal effort to achieve it, and I think this bill reflects upon his great credit and tenaciousness and those of his colleagues.

We have included provisions in the conference report that will provide expansive new civilian personnel authorities for the Department of Defense. I am pleased we were able to provide the Secretary of Defense with the increased flexibility necessary to allow the DOD to respond to the new threats of the new century and the demands of the war on terrorism. While providing the new authorities, the conferees were sensitive to the concerns and the rights of the vital civilian employees of the Department of Defense. I have spoken on this floor many times, and rarely if ever have I omitted direct reference, because they are teammates—full teammates and partners—to the men and women who serve in uniform.

The establishment of a national security personnel system which is authorized in this conference report gives the Secretary of Defense the flexibility he needs to manage the current civilian workforce and to transform—and I underline the word "transform"; it is essential. The Secretary of Defense has been unflinching in his efforts to look into the future and to transform the Department of Defense to meet those changing threats that are on the rise and needs to do so to manage his workforce for the future while providing appropriate protections and appeals processes for the employees.

I recognize the very hard work of my colleague, Senator COLLINS, my longtime friend in the House, Congressman TOM DAVIS, and indeed Senator LEVIN, who, together with Senator COLLINS in

the Governmental Affairs Committee, crafted a piece of legislation which was largely drawn as a model to follow in this instance. We did not measure up to all the goals in the Collins-Levin bill, but, in fact, we in large measure achieved a number of the goals of that piece of legislation.

Balancing the readiness needs of the Armed Forces with the critical need to protect the environment is always a challenge and a risk. We have included provisions in the conference report to make modifications to both the Endangered Species Act and the Marine Mammal Protection Act which ensure realistic training opportunities for our military without unnecessarily endangering environmentally sensitive areas.

There are many other important items in the conference report that deserve mention, from enhanced access to TRICARE for certain Reserve component members, and I particularly thank the distinguished Senator from South Carolina, who is a leader on this issue. We needed increased spending for our special operation forces to continue investment in important homeland defense initiatives.

The bottom line is this conference report is an extremely important piece of legislation that provides the resources to continue the global war on terrorism while safeguarding Americans here at home. It sustains the current readiness of the Armed Forces and provides resources to prepare them for the future.

This conference report sends a clear signal to our citizens throughout the world, to nations all over, that the United States is committed to a strong national defense and to the freedom so richly deserved by nations throughout the world. More importantly, it sends a clear signal to our men and women in uniform, from the newest private to the most senior flag and general officer, that they have the support of the Congress and of the American people.

I urge my colleagues to support this conference report legislation that upholds the President's fundamental national security priorities and makes the right investments in future capabilities. It is imperative we send our President, our fellow citizens, and the world a message of resolve from the Congress—a national defense authorization conference report that provides authority to our Nation's leaders and our Armed Forces to protect our Nation and our vital interests around the world. It takes care of the troops, their families, and our veterans, who have all served so well in the defense of freedom.

I yield the floor.

The PRESIDING OFFICER (Mrs. DOLE). The Senator from Michigan.

Mr. LEVIN. Madam President, I ask the chairman if it might be all right, and Members of his side, as well as other Members on this side, if I give my remarks—they are fairly lengthy—and if I proceed for 5 or 10 minutes and

then yield to Senator JEFFORDS for his comments.

Mr. WARNER. I readily accede to the request of my full partner in working on these matters for these 25 years. We will do that and that will accommodate colleagues who are waiting to speak, if you do not mind that the chairman was rather lengthy in his remarks. It was important that be done.

Mr. LEVIN. I may actually be lengthier than the chairman.

First, I thank the chairman for his brevity. I would then be happy before I complete my remarks to yield to other Senators who may be waiting. Since I will be here all the time, I can complete my remarks.

I am pleased to join the chairman of the Armed Services Committee, and my dear friend, Senator WARNER, in urging the adoption of this conference report. The conference on this bill took 147 days to conclude, making it the longest conference on a defense authorization bill in the history of our committee. The agreement would not have been possible without the strength and the perseverance of Senator WARNER.

This is a historic bill for another reason as well. This conference report includes two key Senate provisions that serve the fundamental needs of the men and women upon whom we now call and upon whom we have called in the past to fight our Nation's wars. These two provisions are the concurrent receipt provision added by the amendment of Senator HARRY REID on the Senate floor and the TRICARE provision added by the amendment of Senator DASCHLE on the Senate floor. Senator WARNER's strong support was instrumental to the success on both of these issues. They simply could not have been achieved without the support of our chairman.

On concurrent receipt, the conference report would phase in full concurrent receipt of military retiree pay and veterans disability compensation for all retirees with disability ratings of 50 percent or greater. Currently, military retirees who receive VA disability compensation have their military retired pay offset by the amount of their VA disability compensation. The conference report would also expand the combat-related special compensation we enacted last year to reimburse all veterans for combat-related disabilities for any retired pay forfeited because of the prohibition on concurrent receipt.

I continue to believe it is unfair to require our disabled military retirees to forfeit earned retired pay in order to receive VA compensation for their service-connected disabilities. According to the Congressional Budget Office, the conference provision on concurrent receipt will benefit approximately 225,000 disabled retirees.

On TRICARE, the conference report would provide enhanced access to health care for members of the Guard and Reserve and their families, including TRICARE coverage that begins upon notification that a member of the

Reserve component has been activated, TRICARE coverage that extends 6 months after release from active duty, and extended TRICARE benefits on a cost-share basis for members of the Reserve components and their families who do not have access to other health insurance coverage.

The citizen soldiers of our Guard and Reserve willingly place themselves in harm's way for their country. This is the least we can do to recognize their courage and their patriotism.

These two provisions address the fundamental needs of the men and women whom we now call upon and we called upon in the past to serve our country in uniform. They have something else in common, as well. Both of these provisions were included in the conference report despite the veto threat from the administration. On July 8th, the Secretary of Defense wrote to the conferees to state that providing these vital benefits to our veterans and to our Guard and Reserve would "drain resources from important programs benefiting our military." The Secretary's letter stated if the President is presented with a bill "authorizing concurrent receipt of military retirement pay and veterans disability compensation benefits or expands TRICARE, then I would join other senior advisers to the President in recommending that he veto the bill."

As a matter of fact, as many will remember, the administration held up the enactment of last year's Defense authorization bill for several months and nearly stymied the bill because of the administration's opposition to concurrent receipt proposals similar to the language included in this year's bill.

The conference report before the Senate today contains both of these Senate provisions. This year, as last year, Senate conferees stood up for what they believed in despite the opposition of the administration. This year, as last year, we stood with America's disabled veterans, we stood with America's Guard and Reserve. Unlike last year, the House conferees agreed to go along with us. It was the right decision. I do not believe the President would have vetoed our conference report over these issues last year and I am confident he will not do so this year.

Again, I pay my respects to the chairman of our committee, because even though, as always, he is generous in giving credit to others for provisions in the bill, including his reference to Senator REID which he accurately made, without his leadership these provisions simply would not be in this conference report. All of our veterans and all the men and women in our military are and should be in his debt for his leadership in this and so many other ways.

This bill contains a number of other important provisions for our men and women in uniform. These include provisions that would increase military pay by 3.7 percent across the board,

with targeted pay raises for midcareer personnel, raising the average increase to 4.1 percent.

It extends increased imminent danger pay and family separation allowances, authorizing a high tempo allowance of up to \$1,000 per month for active and Reserve personnel who experience unusually high tempo. It doubles the death benefit to \$12,000. It authorizes survival benefit plan annuities for surviving spouses of Guard and Reserve personnel who die during inactive duty training.

It removes skill requirement limitations for reenlistment bonuses for members who reenlist in Afghanistan, Iraq, or Kuwait. It authorizes full replacement for household goods lost or damaged during military moves. It expands commissary use privileges for Guard and Reserve members and their families. It provides supplemental impact aid to assist schools with large numbers of children of military families.

I am pleased the bill would increase authorized active duty end strength for the Army.

Madam President, I now ask unanimous consent that I be able to yield to our good friend from Vermont, and then I would offer others the opportunity to follow him if they wish. I can complete my statement at a later time.

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

The Senator from Vermont.

Mr. JEFFORDS. Madam President, I thank the Senator from Virginia, Mr. WARNER, and the Senator from Michigan, Mr. LEVIN, for the good work they have done in crafting this important piece of legislation.

Mr. WARNER. Madam President, will the Senator indulge the manager for a moment to make an inquiry?

Mr. JEFFORDS. Please do.

Mr. WARNER. To accommodate other Senators, I ask the Senator about how much time he wishes to speak.

Mr. JEFFORDS. I say 5 or 6 minutes.

Mr. WARNER. Ten minutes.

Mr. JEFFORDS. Fine.

Mr. WARNER. We may have differences of views, but it is important.

Mr. JEFFORDS. I thank the chairman and also Mr. LEVIN, the Senator from Michigan, for the good work they have done. I appreciate the hard work that goes into these issues which I will be discussing.

This bill provides important support for the men and women of our Armed Forces who are subject to hostile attack while attempting to bring stability and democracy to the people of Iraq.

While I was strongly opposed to the invasion of Iraq, I believe that this Defense authorization bill is very necessary. If I had my way I would have changed some of its provisions, but on balance the Senate negotiators have done a very admirable job of crafting an acceptable compromise on most of the defense issues.

I am, however, quite displeased that the administration insisted on asking for language in this bill exempting the Department of Defense from provisions of the Endangered Species Act and the Marine Mammal Protection Act.

First of all, the Defense authorization bill is not the proper place to have this debate. Discussions about these landmark environmental laws ought to take place in the broader context in our environmental protection legislation. However we made a good effort at crafting compromise legislation in the Senate bill. I was quite distressed that the House conferees refused to go along with this reasonable approach.

In the 1950s, I was a gunnery officer on the USS *McNair*, a destroyer that participated in operations off the coast of Lebanon and had participated in actions to train our men in the service.

I retired from the Naval Reserves as a captain. I am a veteran, and I am also an environmentalist. The two are not mutually exclusive.

I understand firsthand that to be effective in the field, our soldiers, marines, pilots, and sailors must have the best possible training. I also understand that our country has an invaluable natural environment that we must protect as best we can.

As part of the 2004 Department of Defense authorization bill, the Department of Defense submitted the Range Readiness Preservation Initiative.

The RPPI created broad statutory exemptions for "training activities" of the DOD from five environment and resource laws: the Clean Air Act; the Comprehensive Environmental Response, Compensation, and Liability Act; the Resource Conservation and Recovery Act; the Endangered Species Act; and the Marine Mammal Protection Act.

All of these laws, with the exception of the Marine Mammal Protection Act, fall under the jurisdiction of the Environment and Public Works Committee, of which I am the ranking member.

The EPW Committee held hearings on this proposal, in this Congress and in the 107th Congress, and found that the provisions of this proposal were unnecessary because the DOD had authority for seeking exemptions from these laws for national security reasons under existing law.

In particular, section 7-J of the ESA allows the law's requirements to be waived, at the request of the Secretary of Defense, for national security concerns.

To date, no Secretary of Defense has ever needed to utilize this provision of the ESA. Despite this, the DOD authorization bill reported by the Armed Services Committee contained a provision amending the ESA to provide that an Integrated Natural Resources Management Plan prepared by the Department of Defense could take the place of a critical habitat designation on DOD lands.

The Endangered Species Act has dramatically protected the diversity of

our Nation's natural environment. Many species, including the bald eagle, the symbol of the United States, simply might not be in existence today other than for the ESA. Each year, since 1999 the annual list of endangered plant and animal species has exceeded 1,200.

The grizzly bear, eastern cougar, bighorn sheep, whooping crane, American crocodile, and five species of sea turtle are some of the more recognizable mammals, birds, and reptiles that are endangered but have been protected and need protection.

The ESA protects these animals and their habitats, and the hundreds of other animal and plant species that are threatened or endangered across the 50 States. This past May, the Senate stood up for the ESA—the Endangered Species Act—and changed the provision of the DOD authorization bill. We did that. We did our job. A majority of the Senate adopted an amendment to keep a balance between the needs of the Department of the Interior to protect species under the ESA and the Department of Defense's need to give our men and women in uniform the best and most realistic training possible.

The amendment required the Secretary of the Interior to make a written determination that the management activities identified in the INPRM would effectively conserve the species within the lands covered by the plan, and the plan assured that adequate funding would be provided for the management activities.

The day after that vote, the Senate overwhelmingly passed S. 1050, only to have its will overturned in this conference report. Supporters of the ESA exemption in this conference report will argue that the Pentagon's hands are tied when military training comes into contact with critical habitats of endangered species.

This is not the case. As I stated earlier, exemptions exist under current law. In this conference report, the exemption of DOD from the critical habitat designations of the ESA will not allow for case-by-case decisions and will make it give the Pentagon a waiver from endangered species protections, even when more conservation-friendly options may exist.

The ESA provision in this conference report provides no assurance that the INRMP will provide conservation benefits to species.

There is no definition of the kind of benefit that needs to be included in the plan or a requirement that the benefit be in some way equal to a critical habitat designation.

Critical habitat designations are intended to protect habitat, address habitat threats and pave the way for future recovery of the species. None of those requirements are contained in the word benefit. I can only hope that is how the Secretary of the Interior will define benefit in the written determinations required under this new language.

In addition, this conference report weakens the protections for marine



mammals. The conference report provides a weaker definition of "harassment" of marine mammals that is the trigger for needing a Marine Mammal Protection Act authorization from the National Oceanic and Atmospheric Administration and the Fish and Wildlife Service. This weaker provision is extended beyond military readiness to "a scientific research activity conducted by or on behalf of the Federal Government." These activities do not have to be necessary for military readiness.

Also, the requirement under the MMPA that any takings of marine mammals be limited to "small numbers" of marine mammals, or limited to a "specified geographical region" where similar impacts are to be expected has been removed. Another weakening of protections for species.

My reasons for concern over the degree of DOD sensitivity to environmental dangers has been heightened by my recent work on behalf of Marines and their families from Camp Lejeune, North Carolina.

Thousands of retired and ex-Marines and their families were exposed to highly contaminated drinking water over 20 years ago for long periods. It is now coming to light that this contamination caused many birth defects and childhood cancers. The extent of this tragedy could have been significantly lessened if the DOD had been more sensitive to environmental concerns.

Therefore, I think it is a mistake to allow the Department of Defense to regulate its own environmental activities.

When an endangered species becomes extinct, it is lost forever. That is a very serious and eternal consequence of poor, shortsighted environmental policy. National security is more tightly tied to environmental security than many in the Pentagon would acknowledge. We cannot afford to try out a bad policy when the consequences are irrevocable.

I am opposed to changing the present requirement that DOD be concerned with both our national security and our environmental health. Because of my deep concern over these provisions, I must vote against this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I listened carefully to my colleague. I have the privilege of having served on the Environment and Public Works Committee for many years. The Senator referred to action taken by the committee when this issue was before it. Could he be more specific? I don't recall. He said the committee took certain actions. I am having difficulty recalling that the committee took an action.

We had a hearing. I remember consulting with my colleague about the essential need to have the Vice Chiefs of Staff of all the three military departments which came before the Environment and Public Works Committee.

And to the individual, they were consistent in their urging that the Endangered Species Act be changed in such a way to permit—and this is the key—only this amendment to apply to Government-owned land on military reservations. I remember that. But does he recall the committee having taken action?

I think if you look back through your words, I listened very carefully.

Mr. JEFFORDS. Madam President, I will get back to the Senator from Virginia on that and provide him the information. I can't articulate it specifically right now, but I will get back to him with that information.

Mr. WARNER. I thank my friend.

Mr. LEVIN. Madam President, if the chairman will yield on that point.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. My recollection is that on the Senate floor we did add a significant protection, a criteria before the Endangered Species Act would be ignored. That was under the Lautenberg amendment that we would require there be a conservation benefit provided as well as adequate funding provided if the Department of Defense was going to proceed.

The Senator from Vermont's recollection relative to the committee perhaps refers to what we did on the Senate floor, which he also referred to in his remarks, where we did add important protection that was missing when the bill came to the floor, but a very close vote on the floor added that protection.

Mr. JEFFORDS. That is correct. That protection was added.

Mr. LEVIN. I am not sure if that is what the Senator was referring to.

Mr. WARNER. I listened to the ranking member, the Senator from Vermont. The ranking member said that the committee decided thus and so. I don't recall an action having been taken by the committee on which I am privileged to serve with my distinguished colleague.

Mr. JEFFORDS. I will get back to you on that.

Mr. LEVIN. Again, if the Senator will yield, I think actually in the committee we were unable to do what the Senator from Vermont had actually urged us to do and which I totally agree with. I thank him for his comments, which I share.

I reach a different conclusion on how I will vote on the whole bill because of the other provisions in it, but I happen to agree with him in terms of his analysis on the Endangered Species Act and on the Marine Mammal Protection Act and the damage that I believe we have needlessly done to those statutes when we could have done some things which would have protected both the environment and the training of our forces.

But in any event, I think that probably is what the Senator from Vermont is referring to, although I am not sure.

Mr. WARNER. Madam President, he has offered to clarify the record. I be-

lieve at this time if we go from side to side, would that be agreeable to the Senator from Illinois? Could I inquire of the Senator from Texas the amount of time he desires to speak.

Mr. CORNYN. If I may have 10 minutes.

Mr. ALLARD. Madam President, I would like to have an opportunity to speak.

Mr. WARNER. Then I ask unanimous consent that the Senator from Texas have 10 minutes and the Senator from Illinois have 10 minutes, and that is to be followed by the Senator from Colorado for 10 minutes.

Mr. ALLARD. I appreciate that.

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

The Senator from Texas.

Mr. LEVIN. If the Senator will yield, Senator AKAKA has been here as well. Perhaps after the Senator from Colorado, then the Senator from Hawaii would be recognized for 15 minutes.

Mr. WARNER. Absolutely.

Mr. LEVIN. If we could add that.

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

The Senator from Texas.

Mr. CORNYN. Madam President, I extend my thanks and appreciation to the Senator from Michigan for yielding and allowing me to say a few words during his comments. Particularly I express my appreciation to the chairman of the Armed Services Committee, the distinguished Senator from Virginia. The manner in which we have seen them navigate the traffic jam here on the floor this afternoon on this important legislation is indicative of the cooperative and collaborative effort that both the ranking member and the chairman have demonstrated throughout this lengthy process of reconciling not only coming up with a bill but reconciling the differences between the House and Senate on this important legislation.

I rise to say a few words about the Defense authorization conference report that is before the body today. On Veterans Day in 1954, President Eisenhower called upon all Americans to not only remember the sacrifices of those who fought so valiantly but to rededicate themselves to the task of promoting an enduring peace.

Today, almost 50 years later, we recall the dedication of all our veterans as we honor them on Veterans Day 2003. We take this time to honor them because they gave so much to all of us and to say a prayer for the men and women laboring overseas even now to spread the light of freedom to a land that was previously cloaked in darkness.

We must always remember the old adage which is still true that freedom is not free but was bought and paid for by the sacrifices of generations that have gone before us and, indeed, even the present one.

I can't help but think about my own father when I think about the sacrifices of generations that have gone

before, because he was a member of that greatest generation who at a young age flew in the Army Air Corps in a B-17 over Nazi Germany. On his 13th mission, he was shot down and captured by the enemy and imprisoned for 4 months in a German prison camp.

Later, when General Patton and his troops came through and liberated him and his colleagues, my dad would return to this country, to Corpus Christi, Texas, where he met my mother and where they married and raised a family and really became, as I said a moment ago, what we have come to know as the greatest generation. We owe, indeed, everything we have to the contributions and the preservation of our freedoms that they made. It is they and others like them who, since that time, have fought in the cause of freedom that we honor today.

I think it is altogether fitting that we consider this bill on Veterans Day because it accomplishes great things for all of the members of our Armed Forces, both active and retired, as well as their families. I have been amazed at how the senior Senator from Virginia, Chairman WARNER, has navigated this important legislation through the difficult conference committee process. I know it was not easy. It has been my pleasure to work with and learn from him during the course of my service on the Armed Services Committee.

This legislation authorizes more than \$400 billion in budget authority for defense programs in fiscal year 2004. I strongly believe it is our duty to ensure that the U.S. military has the resources they need, whether it be the equipment, the facilities, or the training to do the job we have asked them to do, and to win the war on terror.

In short, we must do whatever is required to maintain our military's status as the greatest fighting force on the face of the planet, even as we transform the nature of that force to face the challenges of the future.

I am proud of the work that has been accomplished here in terms of providing an expanded entitlement to concurrent receipt to include thousands of more veterans. I believe it is indeed a major step in the right direction. Our veterans have more than earned this; they deserve it. I am glad this bill will expand the special compensation for the combat-related disabilities program to include all veterans whose disabling condition was due to combat or combat-related operations.

I strongly believe we are honor-bound to keep our commitment to our men and women in uniform and that our support of them will not end when they leave active duty and go into retirement. No veteran should ever be left behind. I will continue to work in this body to make sure that Texas veterans, indeed all veterans, receive the benefits they so richly deserve.

Our men and women in uniform, whether they be active duty or reservists, or members of the National

Guard, are all doing a tremendous job fighting the war on terror. So I am especially glad to see that this bill provides for an average pay raise of 4.1 percent, provides enhanced access to TRICARE for members of the Reserves, and authorizes increased hostile fire pay and family separation allowances to continue.

When someone leaves their home to fight for the cause of freedom abroad, we know it affects not just that soldier, or that sailor, or that marine, or that airman; it affects their entire community, it affects their friends, and it affects their families. So we must not think only of the service of the brave men and women who fight on the battlefield, but the sacrifices their families make at home. Of course we must remember, above all, those whose loved ones will not be coming back, who paid the ultimate price so others may live free.

I especially acknowledge the hard work Chairman WARNER and the senior Senator from Arizona did on the Boeing tanker lease. I believe they were able to achieve an excellent compromise, one that will save the taxpayers more than \$4 billion. It is critical that, while we allocate needed funds to ensure our Nation's defense, we also spend the money in a careful and fiscally responsible manner. I believe they have accomplished that, and we will accomplish that by approving the bill today.

Finally, I thank the conferees, and particularly the leadership, the chairman and ranking member, and others who have worked so hard, for including the bulk of the Military Citizenship Act, a bill I introduced, which will expedite the naturalization process for nearly 37,000 men and women serving in our Armed Forces who are not U.S. citizens. It will reduce waiting times, waive normal fees, and require the Secretary of Defense to enact a policy that facilitates the opportunity for a member of the armed services to finalize naturalization, including the granting of high priority for emergency leave and transportation on military aircraft. I believe there is no better way for us to honor the heroism and sacrifice of those who risk their lives for our fundamental national values than to offer them a full opportunity to enjoy the blessings of American citizenship.

In 1944, Winston Churchill spoke in the Royal Albert Hall to the veterans of another war, and he reminded them of the great and just cause they served. He said:

We are joined together in this union of action which has been forced upon us by our common hatred of tyranny. Shedding our blood side by side, struggling for the same ideals, until the triumph of the great causes which we serve shall be made manifest. . . . Then, indeed, there will be a day of thanksgiving, one in which all the world will share.

Coming up to the current time in Iraq, of course, we know the fight is ongoing and there is still much to be

done. But the difference our Armed Forces have made in such a short time is undeniable.

Less than a year ago, the idea that the Iraqi people could ever live in freedom was nothing but a dream. Now the vision of a free, prosperous, and peaceful Iraq is in sight. The day of thanksgiving is not here yet, but it is coming.

Thanks to the leadership of President Bush and the professionalism and patriotism of our Armed Forces, and the sacrifices of their families, it is coming soon.

One out of every 10 active-duty military personnel calls Texas home. I am honored to represent them, along with the senior Senator from Texas, Mrs. HUTCHISON. I am proud—and I know we are both proud—of the work that has been done on this Defense authorization bill to serve their needs while enhancing our national security. I wish our brave men and women in uniform godspeed and look forward to the day when these young men and women can stand beside veterans of past wars as living examples of selflessness and courage for the cause of freedom.

Madam President, I yield the floor.

Mr. WARNER. Madam President, I compliment the Senator from the Lone Star State, Texas, who rightfully can take pride in his services on the Armed Services Committee. He was most eloquent on behalf of the men and women of the Armed Forces, and indeed I appreciate his comments. I thank the Senator.

I believe we are under an order to proceed to the Senator from Illinois.

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is recognized.

Mr. WARNER. Madam President, first, may I say to the Senator that he has been working with me on a rather serious problem in the military regarding a helicopter. I commend him on taking those initiatives.

Mr. DURBIN. Madam President, I express my gratitude to the chairman for those remarks and also for his service to the Senate and the country. As chairman of the committee, with his able ranking member, Senator LEVIN of Michigan, they have produced an extraordinary bill at an extraordinary time.

To think we are now appropriating record amounts for our military defense is appropriate as America faces an act of war in Iraq and Afghanistan and literally commitments around the world. I know this bill is controversial in some respects. It includes in it a provision which I urged in the earlier debate on another bill. That is an increase in the combat pay and family separation allowance for those currently in harm's way, those involved in fighting and waging these wars.

I think that is the right thing to do. This committee was doing the right thing by including it so our men and women in uniform at least have some peace of mind that they know while they are facing imminent danger, while

they are separated from their families, we are going to try to give them additional assistance.

I join the Senator from Vermont in his earlier remarks. There are elements about this bill that trouble me. I understand by his remarks that they were elements urged by the House conferees, not the Senate conferees. I honestly agree with him. There is no reason why we should ever have to sacrifice our environment or the treasures of nature to protect America. In those rare situations where national security demands it, there is a law that allows for it. But this bill, unfortunately, goes a step too far, allowing the Department of Defense, I am afraid, to have a waiver from environmental requirements that is not necessary and, frankly, could endanger the environmental security in the name of national security. We could have done better. I hope we address this issue in the future.

There are two specific areas I would like to address that are touched by this bill, but not directly. They relate to the men and women who are currently fighting for this country and risk their lives even as we meet. It is appropriate on Veterans Day that we would be debating this bill. Our hearts go out to not only the men and women in uniform, but to all their families who worry and pray and hope the day will soon come when their loved ones return home.

I worry about what is becoming of the profile of America's military because it is changing. This bill acknowledges it, but we have to continue to acknowledge it. More and more we are dependent on the Guard and Reserve to perform important military functions of our Government.

Currently, about one out of every five fighting persons in Iraq is a member of a Guard or Reserve unit. With the callup that is anticipated in just a few months, that percentage will change dramatically. Over 40 percent of the people on the ground in Iraq fighting for America will be members of Guard and Reserve units. That is a dramatic departure from where we were just a few years ago in the Persian Gulf war when the Guard and Reserve played an important, but limited, role. Now the Guard and Reserve play a much larger role. Senator WARNER of Virginia alluded earlier to the concern I have, about the equipment and treatment of the Guard and Reserve who are activated, particularly in light of the tragic incident just a few days ago when an Army Chinook helicopter was shot down, killing 16 of our soldiers. Included among them was the pilot Brian Slavenas of Genoa, IL, who will be buried tomorrow.

I looked into this and was concerned that the appropriate equipment had not been committed to this Guard helicopter unit, a unit which comes from both my State of Illinois and the neighboring State of Iowa.

What I learned after an extensive investigation is that, in fact, when the

106th unit was activated to be sent overseas, it was represented they were fully operational and ready to fight. In fact, only 3 of the 14 helicopters had the necessary equipment to defend against shoulder-fired missiles.

When this was discovered, efforts were made to equip the other helicopters as they were being sent overseas, with some success but not complete. In fact, once they arrived in Kuwait in position to go into Iraq, further efforts were made by their commanding officer, Colonel Palumbo, and others to make certain they had the appropriate equipment.

During that period of time when equipment was being secured for these helicopters, they were flying dangerous missions. It troubles me. First, they should not have been activated fully operational when they were not. It should have been discovered at an early point. Second, it troubles me that they were flying on dangerous missions without the necessary protective equipment.

I understand the requirement of war sometimes makes those risks necessary, but considering what we know now about the shoulder-fired missiles and the ordnance ammunition on the ground in Iraq, I think extra precautions should have been taken to equip all of these helicopters before they were put in harm's way.

I trust that will be the standard to follow in terms of helicopters and that literally all Guard and Reserve units will receive the necessary equipment, the same equipment as Regular Army, before they are called into action.

That will be my standard and one I would like to hold this Department of Defense to, in cooperation with this committee.

The last point I wish to make is this: Several weeks ago this Senate considered an amendment I offered to the \$87 billion emergency supplemental bill asking the Federal employees who are activated in the Guard and Reserve be held harmless in terms of their salary and income while they serve; that we at least provide for them as much money from the Federal agencies they are leaving as they would have made if they had stayed home.

This is not a radical idea. Dozens of States, local units of government, and private companies do this already across America, but we don't do it for Federal employees, despite the fact that of the over 1.2 million Guard and Reserve people in America today, 10 percent work for the Federal Government. Of those who are currently activated, 23,000 are Federal employees called away from their jobs and away from their families and homes to serve overseas.

By a vote of 96 to 3, we accepted this provision saying that, yes, the Federal Government would treat our activated Guard and Reserve employees the same as State and local governments already do. Then the bill went to conference. Sadly, on a partisan rollcall vote that

provision was stripped out of the bill. Many of the same Senators who have come to the floor talking about their devotion to our veterans were not there when we needed them to keep this provision in our conference on the \$87 billion appropriations.

I say to my colleagues on the floor, I am going to offer this Reservist Pay Security Act of 2003 again and again. To all my colleagues who stand proudly behind the men and women in uniform, let their votes reflect it. Let their votes reflect that we will treat our Federal employees as State and local government already treat their own. That is only fair.

As America becomes more dependent on the Guard and Reserve, it is only right and just that we stand behind not only the men and women in uniform, but their families so that their income is sustained while they are serving our country and risking their lives.

Madam President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Colorado is recognized.

Mr. ALLARD. Madam President, I understand the Senator from Delaware has a comment. He is trying to catch a train this evening and wants to take 1 or 2 minutes to comment. I ask unanimous consent that we let him speak, if it is OK with the chairman.

Mr. WARNER. Madam President, I certainly want to accommodate our colleague from Delaware. He has been a stalwart on defense. He was a naval aviator when I was privileged to be Secretary of the Navy. I am happy to accommodate him, I say to my Senator from Michigan.

Mr. LEVIN. I think we all appreciate that accommodation. I ask that accommodation be made without taking time away from the Senator from Colorado.

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

Mr. WARNER. Madam President, I inquire of my colleague from Delaware, how much time does he desire?

Mr. CARPER. Two minutes.

Mr. WARNER. Take up to 5 minutes.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I thank the chairman, and I thank Senator LEVIN and my other colleagues who graciously have given me a few moments.

We have been reminded during the course of the Afghanistan war and the conflict in Iraq of the need for our ability to deliver large numbers of personnel, equipment, and weaponry to the front. We deliver a lot of those items by sealift, and we deliver a good deal of it by air. Some 30 percent of the equipment going into Iraq comes through Dover Air Force Base. The aircraft that fly a lot of that equipment are C-5As and C-5Bs.

Several of us on the floor this evening have facilities that either have C-5s already operating out of them or will. There is a provision that has been agreed to in this conference report

which I think is worth touching on because I think it is of critical importance. The issue is how do we best provide for cost-effective airlift in the 21st century.

We have created an air bridge between this country and other fronts, including Iraq and Afghanistan. The air bridge includes C-5As and B's, it includes C-17s, and it includes C-130s in the theater. C-5As were built in the 1970s. C-5Bs were built in the 1980s, and the C-17s are literally being built today. The C-130s, some are old and some actually quite new. The C-5As that were built in the 1970s are believed to have a useful life on their wings and their fuselages for probably another 40 years. The same is true of the C-5Bs which are somewhat newer than the C-5As.

The House of Representatives had language that said that before we retire indiscriminately, prematurely, C-5As, we should allow a process to go forward which was agreed to in the earlier Defense authorization bills. In those earlier Defense authorization bills, we said we wanted the Air Force to install avionics modernization packages in three C-5s, along with reengining three C-5s, the hydraulic systems, new landing gear systems, new engines in one C-5A and two C-5Bs, and before we retire prematurely any more C-5As we should first go through that process on those three planes and flight test them in order to find out if those changes to the aircraft actually raise the aircraft readiness performance of C-5As and C-5Bs.

I thank the chairman and Senator LEVIN for agreeing to the House language, so that now we will go forward. The Air Force will have the opportunity to install both the avionics modernization package and the reengining package in one C-5A and two C-5Bs. The Air Force will have a chance to fully test those packages before we retire any additional C-5As.

There is report language in the Senate version of this bill that also says we need to update our estimate for what we need for airlift going forward in this 21st century. I think when we take that language and put it with the provision that says we are not going to prematurely retire any C-5As beyond the initial 14 that have been earmarked for early retirement, that gives us a very good package and one that I think enables us to better determine how do we cost-effectively provide airlift in the 21st century.

Again, I express my thanks to the committee and to our friends in the House for agreeing to this compromise. I think it is a good position for us, for the Air Force. I think it is a very good position for us who are interested in trying to find out how do we provide cost-effective airlift in the 21st century.

Again, I thank my friend from Colorado, Senator ALLARD, for yielding and the chairman and ranking member for allowing me to speak these words.

Mr. LEVIN. If Senator ALLARD would yield for 15 additional seconds.

Mr. ALLARD. I would be glad to yield for 15 seconds.

Mr. LEVIN. I commend the Senator from Delaware. His leadership on this issue is what really led to the result which was achieved, which he so accurately described. We have taken a logical step. The House approach to it was surely the lift that was needed, but the Senator from Delaware added a great deal to it and brought to our attention repeatedly this issue. I am glad the result is as satisfactory as it is.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Madam President, I thank the Chair and note in a public way that it is an honor and privilege to serve with the Chair on the Armed Services Committee. I think it is entirely appropriate that the Chair is having an opportunity to preside in the Senate at the time when we have this important legislation affecting the armed services personnel. The Chair is a hard worker on the Armed Services Committee.

I rise to discuss the conference report for fiscal year 2004, the Department of Defense authorization bill. Before I discuss those provisions that I think deserve this body's attention, I believe it is important to note how difficult this particular conference was.

In fact, it is only because of the patience and perseverance exhibited by the distinguished senior Senator from Virginia that we even have an authorization bill. Senator WARNER has worked tirelessly over the last 4 months to come up with a compromise bill that this body could approve. He acted with integrity and poise despite the difficulties. I commend him for his efforts and thank him for his commitment to the Armed Services Committee and to our men and women in uniform.

I believe it is appropriate for this body to consider this important legislation today. The soldiers, sailors, airmen, and marines who have kept this country free and preserved the peace are owed a debt of gratitude by all others who have the privilege of living in America.

We in America are blessed with freedoms unattainable in any other countries, rights inconceivable elsewhere, and liberties guaranteed by our way of life. Our grandfathers fought in World War I hoping their sons would never have to. Our fathers again fought in World War II, Korea, and Vietnam keeping the same hope alive. We have recently fought in Iraq, Somalia, Kosovo, Afghanistan, and now again in Iraq. We hope that as we battle the war against terrorism, we can see the end of war as we know it and never have to send our sons and daughters into harm's way again.

Until that time, though, the least we can do to respect their service is honor them on Veterans Day. The least the Senate can do is approve this legisla-

tion which will do much to ensure our men and women in uniform are well equipped, well trained, and well provided for.

The conference report before us authorizes \$401 billion for the Department of Defense and Department of Energy nuclear weapons programs. It also authorizes multiyear incremental procurement funding for the Air Force's planned acquisition of 100 tanker aircraft, which I will discuss in greater detail momentarily.

The first priority of this bill is to address many of the quality-of-life issues facing our troops today. It includes an average 4.1 percent pay increase and provides higher targeted raises for midcareer service members. The agreement also expands the benefits provided for disabled military retirees. Veterans who are more than 50 percent disabled or receive their disability during combat operations will now be able to currently receive retirement pay and disability compensation.

On top of this, the bill authorizes certain special imminent danger and separation pay through next year. I support these benefits and believe they will greatly assist those who are courageously serving our country.

Now I will turn to provisions in this bill relating to our country's military service academies. Since last January, I have been heavily involved in addressing the allegations of sexual assault at the U.S. Air Force Academy. This fine institution, which has produced thousands of outstanding Air Force officers, has been seemingly besieged by a culture of indifference.

Over the last 10 years, dozens of female cadets have been sexually assaulted but only a few have reported the crime and even fewer have received the kind of support and assistance needed to overcome such a traumatic experience.

In fact, some victims said they were punished for reporting a sexual assault and many feared they would be punished if they did report the crime. Nearly 65 female cadets came to my office and met with me and my staff. I cannot express enough my admiration for their willingness to tell their stories and for their determination to change the climate at the academy.

I have also been very pleased by the Air Force's response to these allegations. Immediately after I notified the Air Force, Secretary Roche and General Jumper ordered a comprehensive investigation. This investigation discovered a systemic lack of coordination of activities and information, inadequate command involvement, considerable cadet reluctance to report sexual assaults, and failed gender climate surveys.

The investigation led to the Air Force's agenda for change, new leadership at the academy, and a renewed emphasis on sexual assault prevention and response. Earlier in the year, Congress also created an independent panel to look into these allegations. That

panel, headed by former Congresswoman Tillie Fowler, found that Air Force headquarters needed to better oversee the activities of the academy, that the board of visitors needed to be more involved, and that the Department of Defense inspector general's office should fully investigate the role former academy and Air Force headquarters officials played in creating the climate that permitted these assaults.

Both the Air Force's investigation and the Fowler Commission recommended a number of important legislative changes. I am pleased many of these changes have been incorporated in the legislation before us. For example, each service Secretary must now prescribe a policy on sexual assault that promotes awareness of the crime, informs cadets of procedures for reporting, and describes procedures for disciplinary action. Perhaps more importantly, each service is now required to conduct an annual assessment on the effectiveness of the school's sexual assault program.

These assessments will help academy and headquarters leaders, as well as the Board of Visitors of each academy, in their effort to measure whether these programs are working.

The bill also includes a requirement for an Air Force study on the permanent professors and gives the Air Force the authority to appoint a dean from an expanded pool of candidates.

I would like to take a moment to thank the chairman, Senator WARNER, for his assistance in addressing these problems. From the beginning, Senator WARNER worked with me to encourage the Air Force to appropriately respond to these allegations. His interest and dedication to fixing this problem were instrumental and invaluable. I have deeply appreciated his counsel and his willingness to devote the Committee's time to this issue.

As chairman of the subcommittee on strategic forces with oversight over national security space, strategic weapons, ballistic missiles, and nuclear weapons, I would like to take some time to discuss some important provisions in this conference report relating to these issues. Before I do so, though, let me first thank Senator BILL NELSON, the ranking member for the strategic forces subcommittee, for working so closely with me throughout the year. While we did not agree on every provision, his assistance and contribution helped make this a better bill.

Let me now address several specific provisions.

With regard to enhancing U.S. national security space capabilities, the conference report establishes a policy that states that the Nation will have an assured space launch capability, promotes the development of an effective space cadre, and authorizes additional funds for space control initiatives.

With regard to protecting our country from a ballistic missile attack, the

conference report authorizes \$9.1 billion for ballistic missile defense research, development, and procurement. Specifically, the report authorized an additional \$100 million for ground-based mid-course system and \$90 million for the PAC-3 Patriot terminal missile defense system.

With regard to improving the Department of Defense intelligence gathering capability, the conference report requires the Secretary of Defense to establish an intelligence, surveillance, and reconnaissance council to develop a roadmap to fully integrate the ISR efforts of the military services. The report also prohibits the National Imagery and Mapping Agency from spending more than 10 percent of its commercial space imagery budget on other important but unrelated projects.

Lastly, the conference report includes a number of provisions that will greatly improve our ability to deter a possible nuclear attack. One provision repeals the ban on research and development on low-yield nuclear weapons. Another requires the Secretary of Energy to achieve and maintain the ability to conduct an underground nuclear test within 18 months. Finally, the report authorizes \$21 million for advance concept initiatives, of which \$15 million is directed toward continuing a study on the robust nuclear earth penetrator.

I again wish to commend Senator WARNER, his staff director Judy Ansley, and the rest of his staff for their outstanding work on this conference report. I understand that this was one of the most difficult conferences in which Senator WARNER has ever had to participate. I was particularly impressed by the way he addressed the Air Force's proposed lease of 100 tanker aircraft. Like many other Members, I was greatly troubled by the budget implications of this lease. Senator WARNER's compromise agreement will get the Air Force the tankers it needs while saving the American taxpayer nearly \$4.0 billion. I supported the compromise and see it as another example of Senator WARNER's determination to do what is best for our men and women in uniform.

I yield the floor.

Mr. WARNER. I thank our distinguished and very valued colleague of the committee, Senator ALLARD, for his remarks and his work on this bill.

Mr. ALLARD. I thank the Chairman. It has been a delight working with him.

Mr. WARNER. Mr. President, the distinguished ranking member and I are trying to work out accommodations for a number of Senators. The Senator from Hawaii will speak next, followed by the Senator from Maine.

Mr. LEVIN. Senator BYRD is here and has been waiting. I want to see if we can figure out how to accommodate also Senator DAYTON, I believe, tonight.

Mr. WARNER. Let me suggest the following. I will not ask for unanimous consent.

Mr. LEVIN. And perhaps Senator NELSON.

Mr. WARNER. I suggest our leadership, together with the managers of the bill, consider that, following Senator COLLINS, then we could go into a period of morning business and give Mr. BYRD the time he is seeking, and then Senators could come over as in morning business, speak on behalf of the bill, and ask their statements be printed in the colloquy prior to the unanimous consent request.

Mr. LEVIN. We are going to check with Senator NELSON at this point to see what his intention is. We believe Senator BILL NELSON wants to come tonight. Whether it is morning business or the bill, that should not be consequential although perhaps for some reason it might be. I want to finish my remarks also. Senator PRYOR we want to accommodate in the morning, as we have spoken about. Perhaps we can work all this out as Senator AKAKA has the floor.

Mr. WARNER. I have been notified Senator SESSIONS is on the way to bring his important contribution to this bill.

At this time I ask those Senators anxious to work with this tentative agreement to so advise the managers.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I fully support our men and women who have served and are currently serving in our Armed Forces. As the ranking member of the Senate Armed Services Subcommittee on Readiness and Management Support, I have worked with my colleagues to ensure that our military members are provided with appropriate resources and equipment to successfully accomplish their mission. I wish to state my appreciation for being a member of this committee, and to thank the Senator from Virginia for his leadership. I commend the Senator from Michigan for his guidance and leadership as well, and I also wish to thank my subcommittee chairman, the Senator from Nevada, Mr. ENSIGN, for working with me on readiness issues.

I also commend the committee members of both sides of the aisle, and also subcommittee members, for a job well done.

I am delighted to work with the Senator from Maine, Ms. COLLINS, chair of the Governmental Affairs Committee, as we deal with some of these issues.

I rise today, however, to express my disappointment with the outcome of the conference report on several issues. I am particularly concerned with the DOD civilian personnel system. We worked on this issue very hard in the Senate Committee on Governmental Affairs and came up with a bipartisan approach that the committee endorsed with a 10-to-1 vote. Our approach would have provided DOD important new flexibility to manage its workforce, but it would have done so in a manner that preserved important safeguards for DOD employees.

This balanced approach was supported by a substantial majority of the Senate conferees. Unfortunately, we understand that there was stiff opposition from the House conferees and the administration, which insisted that the Secretary of Defense be given unilateral authority to decide what protections, if any, would be available to Federal employees. We were able to win some significant concessions. The conference report includes Senate provisions that would preserve the right of individual employees to appeal adverse personnel actions to the Merit Systems Protection Board and the courts; direct DOD to maintain current funding levels for civilian pay; provide specific guidance on the implementation of a pay-banding system; and require DOD to work with the Office of Personnel Management on the implementation of the new system.

With these protections built in, I would like to be in a position to support the civilian personnel provision. Unfortunately, I cannot, because of the outcome on the issue of collective bargaining.

Unlike the Homeland Security Act, this conference report would not authorize the Secretary of Defense to waive Chapter 71 of title 5, which governs collective bargaining. These provisions remain in full force and effect for DOD. However, the conference report does authorize the Secretary of Defense to establish "a labor relations system for the Department of Defense to address the unique role that the Department's civilian workforce plays in supporting the Department's national security mission."

In general, the new labor relations system established by the Department must be consistent with Chapter 71, since Chapter 71 remains in effect. In a few areas, however, the conference report would specifically override Chapter 71. For example, the conference report states that the new labor relations system "shall provide for independent third party review of decisions, including defining what decisions are reviewable by the third party, what third party would conduct the review, and the standard or standards for review."

By giving the Secretary of Defense the authority to decide who reviews disputes, the issues to be reviewed, and the standard of review, this bill appears to hand one party the final say on all labor and management issues. This language is inconsistent with the concept of good faith bargaining between equals.

At the same time the administration has asked us to establish a new National Security Personnel System, it continues to pursue an aggressive outsourcing agenda and to strongly resist cost of living increases for Federal civilian employees. I am deeply concerned that the administration's agenda of taking away employee's rights, giving away their jobs, and cutting their pay could have a real demoralizing effect on the DOD workforce

that has done so much for our national security for so long.

I am also disappointed by the outcome of the conference on environmental issues. In the past, our committee has worked on a bipartisan basis to ensure that DOD behaves in an environmentally responsible manner, without being unduly hampered by environmental requirements when it conducts essential military activities. This year, the administration worked with the majority in both Houses to force through a series of provisions exempting the Department from basic environmental laws.

In particular, this conference report would amend the Endangered Species Act to exempt defense lands from critical habitat designations without establishing appropriate environmental safeguards, as the Senate bill would have done. It would authorize DOD to conduct activities that have a significant potential to harm large numbers of marine mammals without even applying for a permit and having the appropriate regulatory agencies review the proposed activities. It would exempt Fort Huachuca in Arizona from the requirement for cumulative impact analyses under the Endangered Species Act. And it includes language, which is not in either bill and not in the jurisdiction of our Committee, that would direct the Army Corps of Engineers to issue new rules making it easier for private citizens to avoid their obligation to preserve wetlands.

The military service chiefs have testified before our committee that our armed forces are more ready today than they have ever been before. That is because the military services have gone the extra mile to find constructive ways to comply with applicable laws and regulations with a minimum impact on training and readiness. It takes hard work with regulators and impacted communities on a case-by-case basis to achieve these solutions, but the payoff comes in the credibility the department has earned as a good neighbor and a faithful custodian of the public lands.

I am concerned that the exemptions included in this bill could begin to undermine the trust and cooperation on environmental issues that we have worked so hard to build between the military and civilian communities over the years.

Finally, this bill includes deep cuts to essential military operations and maintenance accounts that I believe are misguided. During the committee's markup and floor consideration, I voiced my concern that the proposed reductions in the military services' working capital funds were so drastic that they may harm military readiness.

The working capital funds are a complicated but crucial financial tool the military services use to ensure adequate supplies of spare parts, both now and in the future. Deep cuts to those accounts cause fluctuations in prices

that units do not have the funds to pay for, which puts readiness in jeopardy and is a disservice to the men and women that serve. I am pleased that this bill represents a slight improvement from the large reductions taken in the Senate bill, but remain concerned about the almost \$1 billion the conference report takes out of working capital fund accounts.

I was also disappointed by the \$150 million reduction in base operating support taken from the Air Force; these funds are critical to the upkeep and maintenance of Air Force bases. Without them, basic repairs will be foregone and service members' quality of work and life will suffer. This is not the right message to send to our air men and women as they continue to make huge sacrifices for our Nation.

I am pleased by the military construction provisions that we were able to include in the conference report. In support of our defense infrastructure as well as the quality of life for our service men and women, this year's bill includes \$9.7 billion for military construction in the U.S. and overseas, \$5.7 billion will fund mission-critical projects which support important activities such as training, deployment, and ongoing operations. An additional \$1 billion will fund family housing projects which will directly impact the quality of life for our servicemen and women and their families.

Although this year's bill funds many essential construction projects worldwide, it also makes significant cuts to numerous overseas projects requested by the Department, specifically in Germany and Korea. Final decisions have not yet been made regarding our overseas presence, and the reductions in this bill potentially send the wrong message to our U.S. forces fighting overseas. We ensure that we continue to support our men and women overseas to accomplish their missions and that we offer them the quality of life they deserve.

Again, I strongly support the men and women who serve in our Armed Forces. I also support the 750,000 Federal employees who play a crucial role in ensuring that our Armed Forces have the equipment, training, and resources they need to accomplish their mission. I believe it is imperative that DOD work closely with communities surrounding military installations and training ranges to achieve a positive working relationship based on mutual trust, understanding, and respect. For these reasons, I am greatly disappointed with the outcome of the National Defense Authorization Act for fiscal year 2004.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Before Senator COLLINS is recognized, I thank Senator AKAKA for his statement and, more importantly, for his service on the committee as ranking member of the Readiness and Management Support Subcommittee. That subcommittee has

some of the most difficult issues which we have had to deal with this year; a number dealt with in ways I did not particularly agree with, either. As the Senator from Hawaii indicated, he had concern on a number of them, as well. Without his service on that subcommittee, we would have had many more problems than we ended up having. We are very appreciative and grateful for the service he provided.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that after I have concluded my remarks and the senior Senator from West Virginia has concluded his remarks that the Senator from Georgia, Senator CHAMBLISS, be recognized for 8 minutes.

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

Ms. COLLINS. Mr. President, let me begin my remarks this evening by commending the chairman and the ranking member of the Senate Armed Services Committee. Both Senator WARNER and Senator LEVIN care deeply about strengthening our national defense and about supporting the men and women who wear the uniform. It has been a great pleasure to work with both of my colleagues. I particularly appreciate their work on what was an extremely challenging conference with the House of Representatives.

Personally, I have very mixed feelings about this conference agreement, but on balance I believe it deserves our support. For example, it provides much-needed support for naval shipbuilding, it provides a pay raise and improved health care benefits for our men and women in uniform, it provides real progress in providing concurrent receipt to our disabled veterans. It has many provisions that are absolutely essential, particularly in this time of war.

On the other hand, I am disappointed, for example, with the environmental provisions that have been included in this conference report. I felt the Senate version of the DOD authorization struck a far better balance than the provisions in the House bill, or even the compromises that are included in this conference report. I believe it is a false choice to say we have to sacrifice environmental protection in order to allow our troops to get the training they need. I much preferred the Senate version in this regard.

What I most want to comment on tonight are the Civil Service provisions that have been included in this legislation. The primary goal of our Federal personnel system should be the recruitment and retention of the highest quality workforce to serve the citizens of the United States. Unfortunately, the current antiquated system does not always achieve that goal. It has become too cumbersome for agencies to hire good employees, particularly those with specialized skills or expertise. It has become too difficult to reward outstanding workers, and it has become

almost impossible to remove poor performers. Clearly, reforms are needed.

Earlier this year, the Department of Defense delivered to Congress a far-reaching proposal to restructure the Department's civilian personnel system. Unfortunately, the Department's proposal went too far and it did not include important safeguards to protect good employees.

To strike a better balance, I worked hard with several of my colleagues, including Senator LEVIN and Senator VOINOVICH, to craft an alternative that would give the Department of Defense the authority it needed to create a more responsive system while providing vital protections for the civil servants who work for the Department. The stakes in this debate were very high because the Department employs some 735,000 civilian employees. That is approximately a quarter of the entire workforce. So we needed to get this right. We needed to come up with a system that was more flexible but that was also fair to the civilian employees of the Department.

Title 5 of the United States Code sets forth the rights and the duties of Federal workers and defines their relationship with management. It is a series of laws committed to the jurisdiction of the Governmental Affairs Committee which I am privileged to chair. I take our responsibility for these laws very seriously. In fact, I would have much preferred for this matter to be addressed through the normal committee process. Indeed, the Governmental Affairs Committee, as Senator AKAKA mentioned in his remarks, approved a carefully drafted bill by a vote of 10 to 1. This was a bipartisan bill that Senator LEVIN helped to craft, along with Senator VOINOVICH and myself. It had the cosponsorship of several members of the committee including Senator AKAKA, Senator SUNUNU, and several others.

Unfortunately, the House acted to include this issue as part of the Defense Department authorization bill and thus that prompted the resolution of this important matter in conference.

This conference agreement, while by no means perfect, is a reasonable compromise to the challenge of modernizing an outdated system while protecting employees' rights. It is not as I would have drafted it. It does not represent fully the compromise so carefully crafted in a bipartisan manner by the Governmental Affairs Committee, the committee of jurisdiction. But we have included several important safeguards in this conference report.

For example, employees subject to adverse personnel actions will have an independent appeals process and an independent third party will resolve collective bargaining disputes. These are two essential reforms that were not included in the Department's original proposal.

Another very important provision in this bill has to do with the collective bargaining rights of the Department's

employees. The Department of Defense has repeatedly claimed it has no desire to waive the collective bargaining rights of its employees. Indeed, the bill before the Senate specifically states the Department does not have the authority to waive the chapter of title 5 that governs labor-management relations. Thus, I fully expect the labor relations system developed by the Department will abide by the principles enumerated in chapter 71, such as the duty to bargain in good faith—a duty that applies to both labor and management, incidentally—and the prohibition against unfair labor practices.

Furthermore, the Department's ability to change employee management relations sunsets in 6 years, providing an additional check, another safeguard, on the Department as it develops its labor relations system. We put in specific language to require collaboration with the representatives of employees to make sure this is a collaborative, rather than a confrontational, process.

In addition, the final bill does not include the unilateral waiver authority sought by the Secretary which would have enabled the Department to waive the process for developing the system in the interests of national security.

This actually was originally proposed by the Department and was a completely unilateral waiver that would have allowed the Secretary to waive virtually all personnel laws and regulations. I am pleased we have not included that authority. I do not think it is necessary, and it is contrary to the spirit of developing a modern personnel system in a collaborative way with the employees of the Department.

The Governmental Affairs Committee will keep a very close eye on the Department of Defense as it develops the regulations to implement the new national security personnel system to ensure a collaborative process that will lead to a modern, effective, and fair personnel system. Senators LEVIN, VOINOVICH, SUNUNU, STEVENS, AKAKA, LIEBERMAN, and CHAMBLISS, and I will work together with our colleagues who care about this issue on both committees to ensure that the Department creates a system that is consistent with the merit system principles afforded to other Federal employees.

The Office of Personnel Management will also play a crucial role in the development of the system. And I trust that the Department will make every effort to use the expertise of Director Kay Coles James and her staff.

Finally, I thank Senator LEVIN, who has worked so hard on this issue. As the ranking member of the Senate Armed Services Committee, and as the senior member on the Governmental Affairs Committee, he, more than any other Member in this body, has unique experience and expertise which he brought to bear on this issue.

I also pay tribute to the chairman of the committee, Senator WARNER, who was very gracious in deferring to my



strong interest in this area. He did allow and encourage me to take the lead in what were difficult negotiations with the administration and the House on this issue.

In the end, the product is not the one I would have preferred, but it does represent a reasonable approach and one that I hope will be successful in creating a modern, fair, and efficient personnel system for the Department of Defense.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I wonder if Senator BYRD will yield for just one moment.

Mr. BYRD. Yes, I am glad to yield.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank Senator COLLINS. In her usual modest way, she has given much too much credit to others for something on which she deserves the lion's share of the credit, which is an outcome which is not what either she or I would have preferred but is far closer to that outcome than would have been the case but for the persistence and—I will add the word here—courage of one of our colleagues; that is, Senator SUSAN COLLINS of Maine.

The rights are protected here that are essential to employees that will lead to greater collaboration between employees and the Defense Department because of her tenacity. I salute her for it and commend her for it.

It was a pleasure to work with her, on a bipartisan basis, in the Governmental Affairs Committee on the bill to which she has referred. Her outline of what was accomplished is indeed an accurate outline. I will have more to say about that later. But in the meantime, I express my gratitude to her. I think all of us, those of us who were even unaware of the outcome in any detail, will someday understand the contribution Senator COLLINS has made to the personnel relations in this Government, particularly in the Defense Department.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I begin by thanking the distinguished Senator from Virginia, Mr. WARNER, and the equally distinguished Senator from Michigan, Mr. LEVIN, for their courtesies and accommodations to me on this occasion and on innumerable, innumerable previous occasions as well.

We are now in the sixth week of fiscal year 2004 and the Congress has only presented the President with 4 of the 13 appropriations bills. The third continuing resolution under which most of the Government is operating expires on November 21. Regrettably, the Senate has yet to approve 3 of the 13 bills. The House and Senate Republican leaders have expressed their intent to move to what has become known as an omnibus appropriations bill.

I hope that the Senate does not once again fall prey to this monster known

as an omnibus. An omnibus is a legislative creation without a mother or a father. It is more like a Frankenstein creature—a being patched together from old legislative body parts that don't quite fit.

And just as Dr. Frankenstein was quite surprised by the results of his creation, so may we be startled by the results of ours. Hastily drafted legislation, as Senators in this body well know, often has strange and unintended consequences. This omnibus would include at least three and as many as seven bills. It would be at least a \$130 billion "Frankenstein" of a bill, and no one knows what other appendages would be attached to it as the Republican leaders rush to close out this session of Congress.

Under the cloak of a continuing resolution, the House has already passed just such a \$190 billion omnibus bill that would fund 9 of the 15 Departments.

In accordance with the Constitution, revenue bills must originate in the House of Representatives and, by custom, most appropriations bills likewise originate in the House, but under the guarantees of the Constitution, as those guarantees flowed from the Great Compromise of July 16, 1787, the Senate has the right to amend those revenue and appropriations bills, as in all other bills.

The House can open the door to legislation on an appropriations bill, but if the Senate is denied the opportunity to consider amendments, or is severely limited in the number of amendments which it may consider, Senators are thereby denied the opportunity to offer amendments of their own and the potential for the achievement of truly good legislation in the final result, is, accordingly, lessened. The people's right to representation in the Senate would be denied and the likelihood of legislative errors in the final product is increased.

I believe creating an omnibus bill would be a grave mistake. The Framers saw the Senate as a powerful check against an overreaching executive. If free and unlimited debate is bridled and the right of Senators to offer amendments is hindered or denied, is not the Senate's power to check the executive accordingly diminished?

Sadly, the House and Senate have resorted to omnibus bills many times in recent years. In January of this year, Congress produced a monstrous 11-bill omnibus. For fiscal years 1996, 2000, and 2001, we produced omnibus bills that contained five bills each year. In fiscal year 1997, we had a six-bill omnibus, and in fiscal year 1999, we had an eight-bill omnibus. Every one of these massive bills, written in the compressed environment of a threatened Government shutdown, resulted in the White House being at the table, writing our appropriations bills with us.

Which party commands the White House at a given time should really make no difference as to how we con-

duct our duties in the writing of appropriations bills. We are here to work with, but also to act as a check on the occupant of the White House, and to reflect the people's will. We are not performing that watchdog function when we invite the White House behind closed doors.

I stood in this Senate and decried the omnibus bills during the last administration. I do so again today. I deplore this process. Through this process we, in effect, circumvent the supreme law of the land. We circumvent the Constitution. Just as I expressed to the Senate during the Clinton administration, by producing omnibus appropriations bills, we blur and we blend the very clear lines of the separation of powers set out in our national charter. Instead we cook up an unsavory soup which will be force-fed to the American people in order to avoid a completely avoidable Government shutdown.

Between fiscal year 1986 and fiscal year 2003, 25 appropriations bills were incorporated into omnibus appropriations legislation without having first been considered by the Senate. For example, the Labor-HHS-Education and Foreign Operations bills were included in omnibus legislation four times each without having ever been considered by the Senate. The people are certainly entitled to a full debate when it comes to deciding how to spend their tax dollars. After all, it is their money, isn't it. We heard that cry over and over again during the tax cut debate. May I observe that it is the people's money in an appropriations bill as well.

Some may believe that we have had so many omnibus bills in the last decade that defaulting to an omnibus bill has become an inevitable part of the legislative process. I stand here today to tell the Senate that this is not the case. In the 7½ years that I chaired the Appropriations Committee, from 1989 to 1994 and in 2001 and 2002, I never resorted to an omnibus bill to complete the 13 bills. What it takes to avoid the omnibus is the will and the drive to stand up for the rights of all Senators to debate important legislation and to complete all 13 appropriations bills.

I commend Senator TED STEVENS for his valiant efforts to move the appropriations bills forward this year. I know that he would prefer that the Senate debate the remaining bills as freestanding bills. The situation that Chairman STEVENS finds himself in is not of his making.

I must ask our leaders, why are we not considering appropriations bills the rest of this week? Why was the Senate in recess the week of October 6? Why was the Senate in recess for the entire month of August? Why is the Senate taking 3 days this week to debate judicial nominations?

I am pleased that the Senate leaders have allowed the Senate to debate the Transportation-Treasury bill, Foreign Operations and Agriculture bills. However, I remain concerned that there

will be an effort to fold all of the remaining conference reports into an omnibus bill along with a polyglot of unknown authorization bills and the White House will dictate the contents of the bill.

I am concerned that once again the leadership will dictate to the Appropriations Committee that we include legislative matter in the omnibus bill that were not considered in the appropriations bills when the bills were before the House or Senate. There are already rumors swirling that the FAA conference report, the Water Resources Development bill, the Internet Tax Moratorium bill, and the healthy forests bill will be dropped into the omnibus. In 1999, the Senate reinstituted rule XVI, concerning legislating on an appropriations bill. In 2000, the Senate reinstituted rule XXVIII in order to avoid the insertion of new matter in conference reports. I hope our leaders will not allow these critical rules, which protect Members' rights to debate, to be abused.

In the past, before rule XVI and rule XXVIII were reinstituted, omnibus bills were used to enact scores of such measures, such as Medicare givebacks legislation, a tax extenders law, Community Renewal Tax Relief, Immigration Reform legislation, and debt collection legislation. We should not travel this dark and pot-hole-riven road again.

I am also concerned that the Senate has been passing bills with promises of spending on critical programs that will prove to be pure fantasy. The Senate approved \$1.3 billion for veterans medical care on the Iraq supplemental and in conference, what happened? It disappeared, just like that. Houdini was there. The Senate, by a vote of 63-31, approved \$1 billion to implement election reform legislation that the President signed last October 2002 but he underfunded in his budget. However, the Transportation-Treasury conferees have not been given any additional allocation to fund this increase. The Senate approved a \$289 million increase for global AIDS, but the conference has been given an allocation that will force them to reduce the Senate Foreign Operations bill by \$1.2 billion. The Labor-HHS-Education conferees are being told that they have to cut the Senate bill by \$765 million. I hope the Senate will not fall back on an across-the-board cut on all programs to pay for these requirements. The bills are already lean. Across-the-board cuts will hurt veterans programs, homeland security programs, transportation programs and education programs.

Last Spring, this Senate approved a budget resolution that put tax cuts first. We knew at that time that the budget resolution would explode our deficits by placing tax cuts for the wealthy at the front of the line and funding for critical veterans programs, education programs and homeland security programs were at the bottom of the pile. Now that decision is coming

home to roost. I fear that the Senate will soon be asked to sweep the bad news into a single, omnibus bill and ship it down to the White House.

I call on our leaders to reject the easy allure of the Frankenstein omnibus. We should debate each of the remaining bills and send the President all 13 bills for his consideration, for his signature or for his veto. The Senate is the upper house of a separate branch of government, with institutional safeguards that protect the people's liberties. We should not fall prey to the omnibus. We should not allow enactment of massive, monstrous, omnibus appropriations bills to turn Senators into legislative automatons.

The Senate should rise up and reclaim its full constitutional powers by insisting that we will work whatever amount of time it takes, for whatever number of days of the week it takes, to take up and pass all appropriations bills. We should never again revert to using an omnibus appropriations bill, which will likely come before this Senate in the form of an unamendable conference report. We should insist on a full debate on all of the remaining appropriations bills and send the President 13 regular appropriations bills.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I rise in strong support of the conference report on the fiscal year 2004 National Defense Authorization Act. I believe this legislation does a tremendous amount of good for the men and women in our Nation's military and their families, for America's veterans, and for our country's efforts in Iraq and Afghanistan.

I say a special thanks and congratulations to the Chairman from Virginia, Mr. WARNER, as well as the Ranking Member, Senator LEVIN of Michigan, for their bipartisan spirit in the preparation of the original bill that came out of committee and passed on the floor of the Senate, as well as the preparation of the conference report, which we will soon conclude. Senator WARNER and Senator LEVIN showed strong leadership throughout the process.

I also wish to point out one particular thing that we in the Personnel Subcommittee tried to address. It is pretty obvious, as we look back at the current conflict in Iraq and the recent conflicts that have taken place around the world, that we are calling more and more upon our Guard and Reserve to serve on a regular basis. It is incumbent upon us that we do more to equalize the status of the Guard and Reserve and the Active Force.

As the Senator from Tennessee, Mr. ALEXANDER, knows, he and I have conducted a number of hearings around the country relative to the treatment of children of military families, including the Guard and Reserve. We want to make sure that we are providing all the support necessary for our Guard and

Reserve as well as our Active Force to make sure that military families have the kind of quality of life we want them to have and that they expected to have when they signed up for military service.

As chairman of the Subcommittee on Personnel of the Committee on Armed Services, I am proud of the significant actions that we and our House colleagues have taken in this legislation to help ease the burden for the brave soldiers, sailors, airmen and Marines who serve our Nation.

Specifically, the conference report authorizes an average 4.15 percent pay raise for service members and a higher, targeted pay raise up to 6.25 percent for mid-career personnel.

The conference report reduces service members' out-of-pocket housing expenses and it authorizes payment of special pay for positions of unusual responsibility and of a critical nature for our Reserve component, in order to ensure that Reserve and Guard personnel serving in command positions are recognized for their important contributions.

The report authorizes continued payment of special pay and bonuses for both Active Duty and Reserve personnel. Payment of increased rates of the family separation allowance and special pay for duty involving hostile fire and imminent danger at the higher monthly rates designated earlier this year are continued.

The conference report also provides enhanced access to TRICARE for members of the Reserve components and their families, and in a meaningful gesture of support for the invaluable contribution of our selected Reserve, it provides full commissary access for National Guard and Reserve personnel.

I want to particularly thank these Members of the Senate—Senators LANDRIEU, GRAHAM, ALLEN, ALEXANDER, and others—who have worked very closely with this Member of the Senate, to ensure that the equalization of the Guard and Reserve with the active force continues to move in the right direction. As we ask our military men and women and their families to do more and more, it is only right that we continue doing all we can for them. This important legislation continues to ensure that we have the best trained, best prepared, and best equipped troops in the world.

I am very pleased that this conference report includes an agreement on concurrent receipt, which I believe is long overdue and is directed at the most deserving disabled military retirees. The conference report would extend concurrent receipt for all disabled veterans rated 50 percent and higher phased in over the next 10 years. It would also make special compensation for combat-related disabilities available to every disabled military retiree—Active and Reserve—whose disability was incurred as a result of combat or combat preparation causes.

In my 8 years in the House, prior to coming to the Senate this year, Congressman MIKE BILIRAKIS of Florida, was the champion of concurrent receipt. I commend him for his hard work on the House side and his diligent efforts in ensuring that concurrent receipt is finally coming to be a realization. We have had the support of the chairman, and the ranking member, as well as Senator REID, who has been active on this issue. It is something that is long overdue, and it is time we gave our veterans the just reward they deserve.

American veterans have made great sacrifices so that we may live in a safe and secure America. Military retirees who incurred disabilities because of their long and faithful service should no longer have to incur the offset of their retired pay. I view this provision as a historic step in the right direction to help this important class of veterans.

Last year, at the conclusion of the fiscal year 2003 authorization bill, the distinguished chairman said that what we did then with respect to concurrent receipt was a step in the right direction and that we would do more. To his credit, and the credit of the ranking member, we are now following through with that commitment and moving in the right direction. This is a huge step and we will continue to look after our nation's disabled veterans in the future.

The conference report includes a provision that will enhance the process for achieving posthumous citizenship for deceased, non-citizen service members that was sponsored by myself and Senator ZELL MILLER, my colleague from Georgia. This legislation was inspired by the dramatic story of Diego Rincon of Conyers, Georgia, a non-citizen member of our Armed Forces who was killed by a suicide bomber in Iraq. This provision will instruct the Government to take steps immediately to facilitate and expedite the process of naturalization following an immigrant soldier's death. Diego Rincon is a true American hero and this legislation ensures that he will be honored as one.

Included in the conference report is authorizing language to delay the decommissioning of Navy and Marine Corps Reserve aviation squadrons like those at the Naval Air Station Atlanta. This provision, which was also included in the final version of the fiscal year 2004 Defense Appropriations Act, prolongs the life of aviation squadrons at NAS Atlanta by preventing the Navy from decommissioning squadrons until the General Accounting Office completes a review of the Navy's plan for tactical aviation integration. This measure restricts funds to be used to decommission aviation squadrons until February 1, 2004.

Senator MILLER and I have worked hard all year to delay the decommissioning of the aviation squadron at NAS Atlanta and I am particularly pleased we were successful in post-

poning these decisions until the General Accounting Office conducts a thorough review of the Navy's plans for tactical air integration to ensure that it is done wisely and in a way that ensures the Navy's missions can be met long term. NAS Atlanta Reserve fight squadrons stand ready with great professionalism for a speedy deployment to critical missions around the world. This provision ensures NAS Atlanta will continue contributing to the Navy's crucial missions and war fighting ability.

This legislation also authorizes the lease of up to 20 aerial refueling aircraft by the Air Force and extends authority for the Air Force to purchase up to 80 tanker aircraft through a multi-year procurement effort. This agreement will allow the Air Force to begin recapitalizing their tanker fleet in a fiscally responsible manner and save taxpayers approximately \$4 billion over the original Department of Defense proposal.

This particular provision, Mr. President, has not been without controversy. I commend my colleague, Senator JOHN MCCAIN, for pointing out to the committee several important discrepancies in the process leading up to this tanker provision. The chairman and the ranking member held several hearings on this subject and, for the right reasons, we were able to restructure this lease arrangement so that not only will our men and women in the military benefit from the provision in the conference report, but the taxpayer will benefit as well.

The Defense Authorization Act includes several other military programs that greatly benefit Georgia, as well as the country as a whole. For instance, it includes: Funds to authorize the Air Force to begin re-engineing J-STARS aircraft. It includes \$3.5 billion for 22 FA-22 aircraft, the next tactical fighter jet for the U.S. Air Force; \$336 million for five C-130 aircraft, as part of a multi-year buy arrangement; \$931 million to convert two Trident ballistic missile submarines into guided missile submarines, one of which will be stationed at Kings Bay Naval Base in Georgia; \$2.1 billion for 11 C-17 aircraft, under, again, our continuing multi-year contract, which, for the first time in the history of the United States Air Force, we have operated in a business-like manner from a procurement standpoint; \$19.7 million to accelerate the C-5 aircraft avionics modernization programs; and an important provision aimed at ensuring that Army or Air National Guard personnel may effectively command Active Duty personnel when they are entrusted with command of a unit composed of both active duty and Guard personnel. This provision will directly benefit the command relationships and operations of the 116th Air Control Wing at Robins Air Force Base that flies and operates J-STARS aircraft.

Mr. President, I believe this conference report does a tremendous

amount of good for our Nation and, most importantly, for the brave men and women who are serving our Nation overseas and at home. I urge my colleagues to support the conference report and again, I commend Senator WARNER and Senator LEVIN for their strong leadership.

I yield the floor.

Mr. WARNER. Mr. President, I thank the distinguished Senator from Georgia, first, for his work throughout the year on this bill. I listened very carefully. He reflects a lot of hard work in his comments. I thank him for his service on this committee.

We are basically rotating. The distinguished ranking member has yielded his slot at this time to the distinguished Senator from Alabama. But after that, I ask unanimous consent that the Senator from Michigan be recognized for such time as he desires to complete his comments on this bill.

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

Mr. WARNER. Mr. President, before the Senator starts, we urge any other Senators to kindly contact the managers because in consultation with the leadership, we are proceeding to conclude this debate.

Mr. LEVIN. While the chairman is on that point, Mr. President, I understand there will be two more Senators in addition to me on this side tonight who will have remarks on the bill.

Mr. WARNER. I thank my colleague. I know of an additional Senator, the Senator from North Carolina, who I believe will be coming over very shortly. That will be three Senators we know of desiring to make remarks. I thank my colleague.

The PRESIDING OFFICER (Mr. TALENT). The Senator from Alabama.

Mr. SESSIONS. Mr. President, it has been a great honor and a thrill for me to serve on the Senate Armed Services Committee under the leadership of Senator WARNER and Senator LEVIN. They are the great professionals in this Senate. At the beginning of our Conference there were very difficult and challenging issues that looked as if they could not be settled, and reasonable minds could not reach an accord. But, as Senator WARNER and Senator LEVIN continued to pursue the issues and worked hard on them, realizing that we had a goal and a responsibility to pass this FY04 Defense Authorization Bill, the conferees managed to reach agreements which I believe are sound.

The bill before us today is a good step forward for America, for the strength of this country's defense, and for the men and women in uniform.

Today is Veterans Day. Some said we should not be here, but I think it is quite appropriate that while our soldiers are in the field today, not taking a holiday in Baghdad, or in Tikrit or Mosul or in Basra or across the border in Afghanistan, we in the United States Senate have work to do with regard to our Defense bill. It is quite appropriate we are here today and moving forward, providing for a 4.1 percent

pay raise, and higher pay raises for certain specialties and for mid-grade personnel.

We continue today to see good things in our military which is fast approaching a transformed military. All of us are watching very closely those changes and the recruiting and retention figures of our forces, but to date the numbers look good in both categories.

I met earlier today with a United States Army Lieutenant Colonel from the 173rd Airborne Brigade at Walter Reed who was injured last month in Iraq and is now recuperating from his combat wounds. He told me when his battalion were taking the highest casualties, they also had the highest reenlistment rate. He said his soldiers, his young men, are warriors and he made that statement with the greatest passion. He was so very, very proud of them. You could sense it and see it in his eyes.

I express my appreciation to Senator WARNER and Senator LEVIN for the great work they have done. I thank Judy Ansley, our committee staff director; Bruce Hock and Tom MacKenzie, who helped me so much on the Airland Subcommittee I chair. All in all, we have had a good year and made great progress. We have such talented professional, decent, honest men and women who lead and our part of our armed services staff.

I want to make a particular note of appreciation for Archie Galloway on my staff. Archie is a retired Lieutenant Colonel, a Ranger. He served in the 101st Airborne Division. He has been a constant adviser, friend, and counselor on these issues. He really helps me to do what is best for America as we moved forward on these issues.

I am also very proud of our Guard and Reserve units and the men and women who serve in them. I served 13 years in the Army Reserve. Alabama has a tremendous National Guard and Army reserve presence and capability. These soldiers are serving with distinction. I believe the reserves will soon have 40 percent of the personnel in Iraqi theater.

I visited Iraq last August and visited two of the three Alabama National Guard MP units assigned around Baghdad. Almost half of the men and women in our Alabama MP units are full-time professional police officers, sheriff's deputies, and State troopers in their public life back home in Alabama. They are superbly qualified for the job and the challenges ahead of them. They are taking risks every day working with the local Iraqi police trying to identify, prosecute, and arrest people who are committing terrorist acts. They are trying to knock down crime throughout the country of Iraq and they are doing a superb job.

I would like to briefly mention the job our Airland Subcommittee accomplished during this year and during the conference. Of the \$401 billion provided by this bill, the Airland Subcommittee

managed approximately \$25 billion in procurement and \$15 billion in research and development (RDT&E). We took our tasks very seriously. These are very large sums of money, in two very important accounts. We worked hard on each issue. Airland responsibilities extend to all the transformational issues in the military, large and small. Most notable is the Army's Future Combat Systems (FCS). The Army's goal is to create a new, more versatile, capabilities based system that can operate in the future across a wide variety of mission areas. Even though the Army will be reporting in three different lines in the future, the work continues and must continue to its inevitable conclusion.

Time is short, relatively speaking, for the transformation to be accomplished. Rogue states and more capable adversaries loom on the horizon. We need to constantly ask ourselves: Is our military, the one which exists today, perfectly configured to meet this threat or can we continue to transform it and make it better able to meet the threat in the future?

Secretary Rumsfeld is a man who believes in asking tough questions about the future and taking the action today that will transform our military for the future. People have different ideas as to precisely how to achieve that goal. But, I believe this Congress and this Secretary of Defense, and I believe this President of the United States, are committed to making sure we succeed.

I was at a NATO conference in Europe not too long ago. The French rapporteur who was reporting on the war in Iraq for the conference shared some thoughts with us. He said the thing they learned most, and it was most clear during the war in Iraq, is that a well-trained, disciplined, technologically advanced military will defeat a much larger military not so advanced. That fact is absolutely clear.

We used 500,000 troops in the first Gulf War, Operation Desert Storm, just to remove Saddam Hussein from Kuwait. In Operation Iraqi Freedom (OIF), we defeated the entire Iraqi Army with less than 250,000 troops. We now have about 130,000 troops in Iraq. We have coalition support from the British and numerous other countries, but our personnel now are at about 130,000.

In Afghanistan, we were able to bring down the Taliban Government together with coalition forces. That cruel government was harboring and supporting al-Qaida and was also providing the training grounds for them to attack the United States. We defeated Taliban and al-Qaida forces with, I recall, no more than 4,000 troops US forces on the ground, using high-tech air support, special forces, and employing special operations of all kinds. We all know the story of the soldier on horseback talking to a B-52 at 35,000 feet calling in 2,000-pound bombs to within 30 feet of any spot he needed to hit. That is a new kind of warfare. That is truly

transformational. We need to adjust to it and make sure we are fully prepared to handle the next phase of emerging technologies, the next phase of emerging training opportunities, and the next phase of initiative our men and women in uniform bring to the battlefield.

There are a lot of things in the bill which we all are proud of tonight. The concurrent receipt progress we have been trying to make is a big step in this legislation, and there are a number of other benefits for our military men and women that are important.

As a result of my visits earlier today and last month to Walter Reed, we discovered a problem impacting families when a soldier is facing imminent death. The military tries often to retire that person because they can receive better benefits. It is awfully grim, unpleasant, and wrong to bring a family into that situation. In this bill we fixed that process with a modifying provision. Some of the things being forced upon our military families in an imminent death situation are no longer required. Our doctors and our soldiers no longer have to call families to discuss imminent death retirement measures; rather, they can concentrate on the necessary lifesaving measures which are so important.

We also have better benefits in this bill for our soldiers who are killed in combat.

Within the Airland Subcommittee jurisdiction, I would just mention a few things that I think are quite significant as we go forward. We have \$705 million for the joint direct attack munition for the Navy and Air Force. This is the famous JDAM. These were the bombs I mentioned earlier that can hit within 30 feet of a target using a global positioning satellite (GPS) guidance system. We need plenty of these munitions. JDAMS are the bread and butter of our Naval and Air Force bombers today. I believe this bill has gone a long way toward ensuring that we have adequate supplies to meet the challenges in the future.

Frankly, if we err however, we ought to err on the side of having far too many JDAMS. We should not have anything less than absolutely what we need at any given time to defend the just interests of the United States.

We moved forward on the FA 22. This new aircraft is so important. There was a challenge earlier this year however. We challenged the contractor. The Subcommittee was not happy with the progress the contractor had been making. We had program hearings and DOD testimony. We heard from witnesses and then we proposed reductions to the program. In the end, we ended up reducing the FA 22 program by \$160 million. We already believe, from the time those hearings took place in the early part of the year, that the contractor is making good progress in dealing with the problems and issues that were previously plaguing the program and slowing it down. We believe they are going

to continue to make good progress. I hope so. If not, we will be challenging them again next year.

We also dealt with the Boeing tanker lease. That was a matter Senator MCCAIN raised early this year. He challenged the way the Department of Defense and the Air Force were planning to fund 100 new Boeing 767 aircraft. He believed that the way that was being handled was not good for the taxpayers. So we went through a long process of debate, IG and GAO evaluations of the funding process. In the end, the committee concluded that the program, as proposed by the administration, was not the best way to fund these aircraft.

We therefore came up with a program to lease 20 767's and go forward to purchase the remaining 80. This change in procurement and leasing will save, we believe, \$4 billion dollars. I salute Senator MCCAIN for his leadership on this effort, and I also appreciate the great work of both Senator WARNER and Senator LEVIN in reaching this new plan that I believe will work to the benefit of the Air Force and the taxpayers.

Another of the subcommittee issues addressed the fleet of HUMVEES found throughout the force structure. One of the things I learned in August while visiting units in Iraq is that many of the Humvees utilized for moving our soldiers around the battlefield are the light skinned, unarmed, and vulnerable Humvee models which are quite susceptible to small arms fire. This bill provides additional monies for the up-armored version, as they call it, Humvee.

Just this morning I was at the Walter Reed Army medical center meeting with PFC Chris Busby a military policeman from Alabama. He had severe injuries to his lower leg and one of his arms. He said he was in his Humvee, had his arm and his leg out the door, and a mortar round exploded nearby. It injured his arm and leg. He told me, without my asking: If I had not been in an up-armored Humvee, I may not be here today. Grenades, mines, and all of those are less effective against an up-armored Humvee. We need more of them, particularly in an environment such as Iraq.

We also provided funds for friend-or-foe equipment to try to avoid friendly fire problems. We also provided \$60 million for the EA6B aircraft outer wing panels. I discovered after talking with senior Navy officials that we are having problems with these aircraft from stress. These funds will do a lot to fix the operational deficiencies of those planes.

We also provided \$70 million for 7 UH60 Blackhawk helicopters. There are many more proposals and line items in this bill that I think will help make this a stronger and more vigorous nation and will make our military the best. What we need simply is this: We need the best trained military in the world. We need to give them the best equipment that exists in the world. We have both of those at this moment. We

need even better equipment. We need even better training. If we maintain that momentum, if we maintain our commitment to research and development and to the utilization of new technologies where ever possible and we apply these capabilities and that desire to the modern battlefield our soldiers will remain the best military force the world has ever known.

I am so proud of our men and women in uniform. When I meet them in the hospital, or talk to them after they return home, or when I meet with them in Iraq or Afghanistan or Kosovo, or aboard a ship at sea or at a base here in the United States, I find that they are so highly motivated and committed to serving this country. They believe so deeply in the causes of our country. They are committed incredibly to helping the Iraqi's achieve a better life.

They are not just there to fight wars. They deeply want the Iraqi's to do better, to have a government that is free. Would that not be a good thing? Not just for us, and not just for the Iraqi people, but for the whole world. Wouldn't it be wonderful not to have any Saddam Hussein's in the world? Wouldn't it be wonderful not to have 300,000 people in mass graves that we are now uncovering in Iraq—the people Saddam Hussein slaughtered as a result of one of the most brutal regimes the world has ever known? He is gone now and we have an opportunity to step forward and create a government that allows the Iraqi people an opportunity to progress and succeed in the future. That is what we hope will happen. It is indeed a difficult time. Nobody knows what the future will bring, but I believe we will be successful because I am putting my confidence in the men and women who are serving our country around the world tonight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank Senator SESSIONS for his service on our committee. He is one of the members of our committee who works extremely hard. I have traveled with him. I did not travel with him the last time he made reference to, but I know how committed he is to the men and women in our service. That is shown every day here, but it was also shown to me very dramatically on the trip we were able to take together, and we thank him. I know, more importantly, the men and women in the Armed Forces thank him for that commitment.

The Senator from New Jersey is in the Chamber. I am wondering if he might like to go next. Approximately how long does he plan on speaking?

Mr. LAUTENBERG. I would say probably less than 10 minutes, but if I am allowed 10, that is fine.

Mr. LEVIN. If that would be all right with the chairman, I understand Senator DAYTON is on his way and he would also like 10 or 15 minutes. Then I would try to make my remarks with an additional 10 minutes.

Mr. WARNER. On this side, the Senator from North Carolina will soon be in the Chamber to take up a position in the queue.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I thank my colleague from Michigan for permitting me to say a few words at this point.

I rise to speak on language in the Defense authorization conference report that was added by conferees. It waters down two of our environmental laws significantly. There are two sections of this conference report to which I strenuously object. One ignores the will of the Senate with regard to protecting endangered species and the other represents the greatest single rollback of marine mammal protection in the last 30 years.

Last May, the Senate passed an amendment which I developed with Senator JEFFORDS to protect endangered species on Department of Defense lands. Before my amendment, the Senate bill effectively exempted the Department of Defense from complying with the Endangered Species Act, but my amendment instituted a reasonable two-step approach to protect endangered species without impeding military readiness or ability. That amendment was passed by the Senate. We need these protections and we know they work.

There are only 2 species that have been on the endangered species list that have gone extinct after being put on that list while over 600 species not on the list have gone extinct during that time. Look at the comparison: Two which failed to survive because they were on the list, and 600 which failed to survive because they were not protected.

The American people have spoken on this issue. We ought to listen to them. A Zogby poll earlier this year learned that 85 percent of registered voters believe the Defense Department should follow the same environmental laws as everyone else. Unfortunately, most of the Senate language was stricken by the conferees. What remains will not, in my opinion, provide adequate protection for threatened and endangered species. But what is worse, new language is contained in this report that could have disastrous consequences for populations of whales and other marine mammals off our coasts.

Ironically, in the State of New Jersey, which has a lot of coastline for the size of the State, we have a marine mammal stranding facility. People voluntarily go out into the water, get a dolphin, or they will get even a whale occasionally. They will bring it to shore and figure out a way to nurse it back to health and get it back in the sea. We treasure those, as every one of us should, because they are part of the ecology. Where they go ultimately, I think it is fair to say, the human race goes.

A rider was attached by the conferees that would allow marine mammals to

be casually harassed, injured, and killed by activities ranging from sonar exercises to the testing of underwater explosives. Ironically, it comes just as the committees with jurisdiction and expertise over marine mammals have begun their work on reauthorizing the Marine Mammal Protection Act.

Once again, the conferees chose to add language that was not authorized by either House. We are seeing this on a too regular basis—language that is debated, discussed, and voted upon goes one way. It goes into conference. The conference committee, then composed of Members almost principally, almost exclusively of the majority party, decides they do not want to listen to what was sent over from the Senate or what was sent over from the House. If they disagree with it, they change it and the administration contributes to that. It is outrageous.

I have been part of this body for nearly 20 years and this is not how the Congress used to make law. We cannot look backward. We are where we are, but it is not a good turn of events.

That is what has happened. The conferees add their own language. It extends exemptions to the Marine Mammal Protection Act in the House language to apply not only to military activities but to all Government-funded research—a change that could be easily exploited by industry groups.

Under this act, there will now be no limit to the numbers of marine mammals the Department of Defense could kill or harm and no limit to the range of coastal habitat its activities could impact.

I am very much aware the leadership on the Armed Services Committee, under the chairman from the State of Virginia and the ranking member, our friend from Michigan, also has these same concerns. In particular, Virginia is a coastal State. They worry about what happens on their coasts. They worry about the sea life that is there, as well as the condition of the habitat. Virginia has some fairly strict requirements to make sure there is not a lot of damage done to the sea environment.

The rider that was developed would essentially give the Pentagon a categorical exemption to the provisions of the Marine Mammal Protection Act.

The Department of Defense receives 38 percent of all permits under the Marine Mammal Protection Act. Well over one-third of these permits will now be exempt from efforts made to limit the harm done to marine mammals. I am very disappointed these provisions have been included in the conference report.

I can tell you a few other people who are disappointed. They are my grandchildren and my children. They love the sea, and they love what lives in the sea. I have a child who lives in Florida, a daughter with two kids. They know what the marine mammal life is about. They are very conscious of the fact that people should not hurt them,

harm them. I say that because that is the human relationship. It is the human experience.

I saw a picture of one of my granddaughters swimming with a dolphin. I thought I probably wouldn't like to be there seeing her do it, but she had a smile on her face. I think even the dolphin had a smile on its face. But we care about these issues. It is a pity to stand here pleading for a reinstitution of provisions that were in the bills before they got to the conference committee, that either have been eliminated or have been added without the approval of either body.

It is disappointing to see these provisions have been included in the conference report. For decades, DOD has managed to find common ground with its training and its environmental goals. These riders do not honor our military; they do not honor the will of the American people; and they do not honor the living creatures with whom we share our planet.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I wonder if we could establish order for Senators to speak.

The PRESIDING OFFICER. That would be helpful to the Chair.

Mr. LEVIN. We have been going back and forth. Senator REID is ready to proceed for a couple of minutes. I wonder whether Senator DOLE might allow him, for 2 minutes, given his responsibilities, to go first. Then we would go to Senator DOLE, then back to Senator DAYTON. Would that be all right with all the Senators?

Mr. WARNER. I think we see the distinguished leader wishing to comment. Before we close out on that UC—

Mr. LEVIN. Mr. President, if I could have 30 seconds before we file that. Let me thank Senator LAUTENBERG for his comments and assure him one of the reasons this conference lasted I think longer than any conference in history, 147 days, was because of those two environmental provisions which, until the end, many of us fought very hard against.

The House prevailed. There would not have been a conference report, basically, if we had just refused to give in on this. Ultimately we did not have the votes on this side to carry on in that particular course of action. But I assure the Senator from New Jersey I, as one Senator, agreed with his comments. The provisions that were in the House bill, however, ultimately prevailed. That is what happens with some of these conferences. We basically win some and lose some, and as far as I am concerned we lost on this one, and so did the world.

Mr. WARNER. Mr. President, I will simply add to my colleague's accurate description that there was some mention you didn't particularly like the way it was written in conference. In fact, it was not. It was provisions adopted by the House. There were just

a few words of modification in the conference.

Mr. LEVIN. The chairman is correct on that. I concur with our chairman. This problem is not the one we have run into recently as much as it is a problem of a very great difference between the Senate provision, which the Senator from New Jersey helped to author, and that of the House. His amendment was a very important amendment and put us on the right track. But we ran dead on to the House provisions. In this case it was the House provisions versus the Senate provisions, rather than additional provisions in conference which were the problem.

Mr. LAUTENBERG. I thank the manager and ranking member of the committee. But I say to my friend from Virginia, sometimes it is just a few words here and there that make all the difference in the way things come out.

I know there is a consciousness between the two distinguished leaders on the Armed Services Committee that the environment could have been and should have been protected as we planned it and as we discussed it. But we are where we are. I hope there will be a time in the not too distant future when we will be able to realize we have done some damage and change that.

Mr. REID. Mr. President, first, I want to express my appreciation to not only the managers but also to Senator DOLE and Senator DAYTON for allowing me to speak out of order.

There is so much rhetoric about the acrimony between the Republicans and Democrats in the Senate. Whatever is written, it is exaggerated. There is so much that happens in this body based on the work of the Senators. There is no better example of that than the Senator from Virginia and the Senator from Michigan. They have worked together for many years on this most important committee. They do it in a bipartisan fashion. They have done, I really do believe, an exemplary job of bringing this bill to the Senate.

This conference was long, grueling, and hard. But there are a lot of conferences which we have been unable to complete. This one has been completed, even though it deals with the most important aspect of our country—its national security.

I want the RECORD to be spread with the fact that so much goes on in this body as a result of the goodwill of leaders, but the two members on this committee are exemplary. You can't find better leaders. They are Members who have set aside their personal preferences on many occasions for the good of the country—I shouldn't say on "many" but on most occasions—for the good of the country. They come from different approaches on what should be in a bill, but when it all boils down, they do what is best for the country.

I have told both of these Senators that I feel good for my grandchildren as a result of the fact that every night these men are responsible for what takes place in the Senate dealing with

the U.S. military. I say that without equivocation, and without hesitation.

There are a lot of good things in this bill. But the thing I want to talk about—and others can talk about other aspects they think are important—is concurrent receipt. We started on this journey a number of years ago. It was a lonely journey. I worked hard to focus attention on this issue. Attention has been focused not by me but by veterans throughout America. Because of them, we are at the point where we are now.

The negotiations on this issue alone in this bill were grueling. I had contacts with both managers of this bill over the months. It was difficult to arrive at a point where we now are; that is, people who are 50-percent disabled will be able to draw both their retirement pension and their disability benefits. That is tremendous. Of course, that is something we all wanted to accomplish. But it costs a lot of money, and we are going to do more in the future.

I want the two managers of this bill to know how much I personally appreciate the work they have done on this particular aspect of the bill. But I speak for veterans communities all over America, saying this is a tremendous bit of work to be able to arrive at this point; to think that we would be here talking about a 50-percent disability and receiving all of their benefits. A few years ago, it would not have been possible but we are there.

My admiration to the two managers of this bill goes even further. It didn't go unnoticed last night as I was spending a lot of time on the floor that to my right was my friend from Michigan who was with me for the last several hours of my little odyssey. He and I were here alone. I appreciated that very much.

For the two managers, good work for America.

Mr. WARNER. Mr. President, I appreciate the expressions of the distinguished assistant minority leader. But he is so accurate about the veterans groups. They are all experienced lobbyists. Somehow I don't look upon them exactly as lobbyists. They are by and large all veterans. They very conscientiously reflect what is felt by Americans in their hearts with regard to veterans. They translate that feeling into legislation.

This was a long, long trail across rough terrain over many years. But I must say to my good friend from Nevada that had it not been for his steadfast and always unheralded leadership we would not be here tonight with this provision in this bill. I thank the Senator.

Mr. LEVIN. Mr. President, if I could ask Senator DOLE to yield for just 1 additional minute, I want to thank the Senator from Nevada for his leadership in this area, and for his kind remarks. But let it be very clear. The Senator from Nevada has led the fight on this concurrent receipt issue. Two-hundred

and twenty-five thousand retired disabled veterans are going to now be able to receive their disability benefit as well as their retirement compensation because of his leadership. There are others, obviously, who participated. There always are. The Senator from Nevada is very generous in sharing that credit.

Surely our chairman, Senator WARNER, deserves a great deal of credit, as others here deserve credit, along with Senator REID. I know Senator WARNER will agree with me. As he just pointed out, Senator REID has truly been a leader in this effort. It would not have happened without his leadership. There are 225,000 veterans and their families out there tonight who will receive this benefit which they have earned and deserve who otherwise would not have received it.

I am sure the President will sign this bill, even though at one time it was suggested that the Secretary of Defense would recommend a veto. I can't believe that will now, in fact, happen. I thank the Senator for his leadership.

Mr. WARNER. Mr. President, if I may simply add, if the Senator will indulge me, because this is a very important point about the work that was done on concurrent receipt. In the final analysis, the administration came to fully support it and worked with us.

I also salute Senator MCCAIN who was tireless in his efforts on this very legislation through the many years I have worked on it with him and others.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mrs. DOLE. Mr. President, I have great respect for Chairman WARNER and Ranking Member LEVIN for their exemplary work on this conference report which will go so far toward improving our Nation's defenses and giving our men and women in the Armed Forces the resources they need. It is a great privilege to serve with these two outstanding leaders on the Committee on Armed Services.

For the thousands of North Carolinians serving overseas, this bill is most important for them and for their families. One of the most fundamental duties of the Federal Government is to provide for the common defense. As I have said so often, if our young men and women are being called into harm's way, they must have the best equipment, the very best training, and the highest morale. With this bill, we are giving them just that.

This legislation provides a 3.7-percent pay raise to all of our uniformed service personnel, and it continues the family separation allowance that helps provide much needed dollars for spouses and children when their loved ones are deployed.

There is a provision to continue special pay for duty in hostile fire or imminent danger. I am also pleased that the housing needs of our military personnel and their families are so strongly supported in this bill. The legisla-

tion will provide much needed improvements in housing, especially for our bases back in North Carolina.

TRICARE is also expanded for Reserve components under this legislation, something that is so desperately needed at a time when we are relying so heavily upon our Reserve Forces. This means our reservists and their families will get the health care and medical attention they need.

This legislation remembers our veterans who deserve so much for their committed service to our country. It is unfair for disabled veterans to pay for their own disability compensation. Legislation enacted last year restored benefits to retirees with disabilities who were awarded the Purple Heart or were severely disabled by combat-related activities. It was a good beginning.

The legislation before us now goes further by allowing special compensation to be extended to all military retirees whose disabling condition was due to combat or combat-related operations.

Additionally, concurrent receipt will be phased in over the next 10 years for those retirees with noncombat-related disabilities of 50 percent or greater. And the fight is not over. Our next step is to work to find a solution that meets the goal of full concurrent receipt for all military retired who are eligible for disability benefits.

As a member of the Senate Armed Services Committee, I will continue to keep this a priority.

I am also pleased to see the multiyear procurement for the F-18 Super Hornets in this bill. This is the first step toward basing this new mission in North Carolina. Soon it will bring over 1,000 new jobs to eastern North Carolina where they are desperately needed.

The legislation also authorizes \$11 billion for the defense science and technology program, including \$797.6 million for the critical, high-payoff science and technology programs. Many of these transformational technologies will be coming from new innovative businesses in North Carolina as well as from our exemplary university system.

It also increases by more than 30 percent the funding for special operations to include over \$61 million for weapons systems, psychological operations capabilities, and enhanced intelligence. And we all know how much we have relied on our brave and daring special forces literally on the front lines in the war on terror.

The committee worked long and hard on the various "buy American" provisions, particularly the Berry amendment, which I am so pleased remains strong. At a time when we are all concerned about manufacturing jobs, I am glad we are going to take a good hard look at our industrial base to make sure that we give our troops the best equipment for years to come.

At Seymour-Johnson and Pope Air Force Bases, at Cherry Point Marine



Corps Air Station, and Fort Bragg and Camp Lejeune, I was deeply moved by the dedication, the commitment, the patriotism of the members of our Armed Forces and their families. They make me proud and thankful to be an American. I am honored to have had the opportunity to work on this legislation and give something back to our men and women in uniform.

This is a good bill. It goes a long way toward strengthening our military, protecting our military families, and caring for our veterans. I applaud the committee for its work and urge my colleagues to support this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. DAYTON. Mr. President, I rise today to join with my colleagues in support of this conference report, the national defense authorization bill for fiscal year 2004. At the outset, I express my appreciation and my utmost respect for the two outstanding leaders of the Senate Armed Services Committee, Chairman JOHN WARNER from Virginia and Ranking Member CARL LEVIN from Michigan.

When I was preparing to join the Senate 3 years ago, I asked two of my distinguished Minnesota predecessors, former Senator and Vice President Walter Mondale, former Senator David Durenberger, and my long-time friend and then-colleague-to-be, the late Senator Paul Wellstone, for their advice on committees to seek assignment. All three enthusiastically recommended the Senate Armed Services Committee for two primary reasons: First, it is of paramount importance with responsibility to assure this Nation's overwhelming military superiority now and forevermore; Second, the unparalleled opportunity to serve under, work with, and learn from the two incomparable committee leaders, Chairman WARNER and former chairman, now ranking member, LEVIN. The advice of my fellow Minnesotans was prescient in both respects.

For all the attention that is given to this body's partisan differences and discord, what are usually overlooked, though fortunately much more prevalent, are the bipartisan professionalism, mutual respect, and shared commitment to do what is best for America, for all of America. That ethic is what predominates in the Senate Armed Services Committee. It begins with the personal conduct and professional relationship of these two extraordinary public servants and national leaders, JOHN WARNER and CARL LEVIN.

At any time in our Nation's history, but especially during the unprecedented circumstances of the last 3 years, since the September 11, 2001, attack, the two wars that followed and are still ongoing in Afghanistan and Iraq, our Senate and our Nation are exceedingly fortunate in the leadership of these two outstanding men, Chairman JOHN WARNER and Ranking Member

CARL LEVIN. They have also led members on the Armed Services Committee, on which I am proud to serve, to pass legislation, first in the Senate with overwhelming bipartisan support and now in the conference with the House, with President Bush's civilian defense leadership and with our Nation's military command, Chairman Richard Myers and the members of the Joint Chiefs of Staff who serve this country with such great distinction.

As George Washington said in 1793, in his fifth annual address to Congress: "If we desire to avoid insult, we must be able to repel it. If we desire to secure peace, it must be known that we are at all times ready for war."

The succeeding 210 years have proven President George Washington's wisdom and the imperative that we follow that advice. With this legislation, we have continued that bipartisan commitment and upheld that most sacred trust, the protection and safety of our fellow citizens across this great Nation and, so much as humanly possible, throughout this world.

The final bill before the Senate authorizes \$401.3 billion in budget authority for fiscal year 2004 with additional funding authorized for the acquisition of 100 tanker aircraft. The Defense appropriations measure, which this body has passed, which will come back in conference reports that we will pass again with overwhelming bipartisan support, will obligate most of that funding, which does not count the \$67 billion in the recent supplemental appropriation for ongoing military operations in Iraq and Afghanistan, which means that, in total, in fiscal year 2004 we will spend over \$500 billion for our national defense and military operations.

Some of my constituents would say that is too much. Some would say it is too little. It is unquestionably a great deal of money. As a great former Senator and colleague and member of the Senate Armed Services Committee, Max Cleland, would say, \$500 billion does not go as far as it used to.

But freedom is not free. Today, on Veterans Day, as we honor the brave men and women who have sacrificed their lives, their bodies—as Senator Cleland did—we are reminded once again that freedom is priceless and ever more expensive.

But the results in Iraq and Afghanistan should assure our Nation that the money we have spent has been well worth it and well spent. It has saved American lives in those theaters and it has saved the lives of other people in the world. It has protected the world from some of the most evil forces imaginable and from that most awful of possible occurrences, a nuclear catastrophe.

My fellow citizens should recognize that we are not, all of us, together, paying that price. We are borrowing it and passing most of the costs of its repayment to our children and our grandchildren. The projected fiscal year def-

icit for the Federal budget for the same fiscal year 2004 which we have just begun is estimated to exceed \$500 billion. That happens to be approximately the expenditure for our national defense. It is not right to single out defense spending as the cause of that deficit. It is right, in fact, to single out everything as the cause of that deficit.

Regarding our spending and our tax policies, which the Concord Coalition, a coalition of business men and women and previous leaders of this Nation, recently called the most reckless fiscal policy in this Nation's history—4 years ago, in fiscal year 2000, the total Federal revenues coming from the personal income tax, the corporate tax, the excise tax, the estate tax, and the capital gains tax equalled, for the first time in 40 years in our Nation's history, the expenditures other than Social Security and part of Medicare which we call the on-budget expenditures, which include all of our expenditures for national defense, military operations, intelligence, and other ongoing activities.

For this fiscal year just completed, 2003, those revenues amount to only two-thirds of those expenditures. And next year, if projections hold, revenues will be even less than two-thirds of those expected expenditures.

I regret we live in a world where this much money must be spent on our national defense. I would rather we could spend the money on special education for all of our children, who are now still being left behind, and that it could be spent on student aid for our young adults, who are going tens of thousands of dollars into debt just to complete their undergraduate and postgraduate education.

I wish the money could go to buy prescription drug coverage for our senior citizens and other Medicare recipients that would be as good as what the Members of Congress receive. I wish we could provide health care to the 44 million Americans who receive no health coverage at all. I wish we could rebuild our highways and improve our mass transit systems, add to our bridges, and advance our infrastructure.

There is so much else we can do for the betterment of our citizens, but, unfortunately, there can be none of these homeland improvements without improved homeland defense. We cannot achieve national prosperity for all of our citizens if we do not first and always achieve national security for all of our citizens.

As I said, the experience of the last 3 years should assure all Americans that those national defense dollars are being well spent and that we are well served, well protected as a result.

In Afghanistan, the United States military accomplished, in 10 weeks, what the old Soviet Union could not accomplish in 10 years: the routing of the Taliban and the restoration of the beginning of a new government, a government of the people of Afghanistan.

In Iraq, it took only 3 weeks for the United States forces on the border to

occupying Baghdad, the nation's capital. The difficulties that have occurred since then have not been the result of failed military strategy or its execution but, rather, the failure of securing the peace to catch up with winning the war.

Our Armed Forces, our fellow Americans—our sons, our daughters, our brothers, our sisters, wives, husbands, mothers, and fathers—in the words of the motto of the U.S. Army's Second Division, which I visited in April with Senate Majority Leader FRIST, and others of my colleagues—are "second to none." The U.S. military is second to none. It is the best, the bravest, the most accomplished, intelligent, and patriotic armed forces anywhere in the world, anywhere in the history of the world.

I am especially proud, as a Minnesotan, of our State's and other States' reservists and National Guard men and women, who are now—many of them—on active duty serving in their second or even third tour of duty in recent years. They deserve our gratitude, and, more than that, they deserve our ongoing support.

It is very important, as others have noted, that this authorization provides for a significant pay increase for our Active Forces. It establishes, for the first time, the coverage on health care to some of the members of the Reserve and National Guard, those who do not presently have the opportunity to obtain that health coverage through their private employers, to be covered not just when they are on active duty—which they increasingly are—but year-round.

I viewed, on Sunday night, the ABC televised report that said of the reservists and the National Guard men and women presently serving in Iraq, only 54 percent indicated they would reenlist, which is understandable, given the severe circumstances they are experiencing there, as the chairman and ranking member and others of us, including myself, experienced briefly last July in that country.

I would expect that with the opportunity to return to home and families, that percentage would increase, but it underscores how imperative it is we create incentives for these courageous men and women, and for their families, and for their employers. They undergo the sacrifices that they must to be in the Ready Reserve and to step in, in these times of national emergency. We need to provide health coverage for them and for their families.

I salute the chairman and the ranking member and Senator GRAHAM of South Carolina, who also spearheaded this measure in this Senate, who has assured me this is the first step toward securing, hopefully next year, complete coverage under the Federal health care system for all of our reservists and National Guard men and women because it is the right thing to do, it is the humane thing to do, and it is the best thing we can do to offer them a reason

to reenlist, to stay a part of keeping this Nation as strong as it must be.

They are taking awfully good care of us. It is imperative that we take as good care of them as we possibly can. The same measure of standard should apply to our veterans who have served us formerly who are now moving on in years.

I note, as others have, with great appreciation, the outstanding efforts of the Senate Democratic assistant leader, HARRY REID of Nevada, who has championed the concurrent receipts for all of our veterans who have suffered disabilities, who reach the age where they also are eligible for Social Security and other retirement benefits.

Why they should be penalized, unlike anyone else in the private sector or the public sector, is beyond me—those people who have served and who have paid the price with their own physical infirmities, wounds, sometimes maimings.

Today I was at the Korean War Memorial with a group of Minnesotans, some of whom could not walk and were in wheelchairs—amputees because of the wounds they suffered fighting for this Nation's freedom and the security of the world in Korea over half a century ago. Why they should be penalized now in their older years for that service, for what they earned, and what they paid for with the price of their own bodies, is somewhere where we still, as a nation, have fallen short in our responsibility to them.

To phase it in, with all due respect to all of us who made this effort—but against the fervent opposition, which I do not understand, of the administration, to immediately correcting this injustice—to phase it in over 10 years, to me is unconscionable—indeffensible and unconscionable.

We have put tax relief for the wealthiest people of this Nation in place and made it retroactive. We have tax relief coming in and out and in and out and back again within the same 10 years we are talking about phasing in this deserved benefit—earned benefit—for our injured veterans of America.

That is another critical task that I know this body, which passed it overwhelmingly last year—and the efforts of the chairman and ranking member of this committee, if they had been able to prevail, would have been applied fairly and immediately to all of our disabled veterans. But it is a task that all of us must undertake again next year.

There are important measures in this legislation that benefit the State of Minnesota, as other States. What is most important is that this is a measure that benefits our entire country.

I would say again that the bipartisan spirit of the committee, of the Senate, with regard to national defense, both before but particularly during most of the 3 years I have been in the Senate, which has included the post-9/11/2001 era, has been probably my proudest participation in the Senate because we are first and foremost, all of us, Americans.

Even those disagreements that sometimes preoccupy us, that capture the headlines, that seem to be the description of this great body, are, in fact, as our distinguished Democratic leader, TOM DASCHLE, has reminded us regularly, the noise of democracy.

It is because we can all stand in this body and express our views and agree or disagree, hopefully, respectfully, with one another. Regardless, that we can do so, and go home to our families, to return the next day to offer our best judgments and ideas, again without fear of incarceration or execution or obliteration—that is what is priceless about this Nation. That is what this bill is intended to preserve.

I believe that the committee, and the conference committee, the men and women serving in our Armed Forces, the civilian leadership of this country under President Bush and his civilian defense leadership, the Joint Chiefs of Staff, and the command of the military of this country, for whom I have felt the greatest respect and regard—I think our fellow Americans can sleep well tonight with the knowledge that they are being well protected.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I express my appreciation to the distinguished Senator from Minnesota for his work on our committee throughout the year. He volunteered to travel to Iraq with our CODEL, and he is ready to pick up the burdens at any time he is requested. I thank him also for the respectful way in which he referred to our former colleague whose seat he proudly holds today.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, let me join Senator WARNER in thanking Senator DAYTON, first for the very overly generous comments he made at the beginning of his remarks. They are obviously very warm and very much appreciated. The references he made to the former colleagues of ours are particularly important personally to both Senator WARNER and to me, and we are very grateful for them.

Senator DAYTON has brought to our committee and to this body a very great passion, not just for Minnesota—although Lord knows that passion is there for issues that affect Minnesota, including his Guard and Reserve that are so close to his heart—but also the defense issues that affect every citizen of this Nation. Perhaps typical of him was the way in which he identified, with a number of other colleagues, a problem for the service men and women who are coming back on leave from Iraq and who are dropped off at Baltimore Airport and have no way to get to their homes. Senator DAYTON joined a few others in this body to make sure in that supplemental appropriation we would get them home, not just to our shores but to their own personal homes.

That is the kind of personal approach he takes toward issues, a combination of great passion and tenacity and forthrightness and directness and guts and courage, taking on a lot of tough issues, but also a very personal approach. We are very glad he is on the Armed Services Committee and grateful for the contribution he makes to our committee.

If the chairman has no other matter, I thought what I would do is very briefly continue with a few comments. I began a rather lengthy statement I was going to make about the Defense authorization bill, and I have a few additional comments.

Where I left off a couple hours ago was making reference to the fact we increased the Active Duty end strength of the Army in this bill by 2,400. That is a small number, given the demands we are placing on our troops, but at least it gets us on the right road. Senator JACK REED worked hard for this increase. Senator WARNER and I in conference did the best we could, given the circumstances we faced and the limits we had to deal with. But Senator REED was determined we would do what it is clear to all of us we must do and consider more of, which is to take a look at the huge demand we are placing on our troops, take a look at the sustained callups of our National Guard and Reserve components since the Vietnam war.

We now are watching them more and more deployed for extended periods and repeated deployments of the same Guard and Reserve units. We have to address this issue. There are many ways to do it, but one of them is to take a look at increasing the end strength of our Active-Duty people. We decided we would start this year with the Army where the greatest crunch has been felt. That 2,400 personnel increase authorized by this bill again is a relatively small increase given the demands on our troops, but it is an important statement of where this committee is.

We are also pleased the conference report includes a proposal which Senator KENNEDY and others were very instrumental in proposing which would serve to expedite the naturalization of lawful permanent residents serving in the military, and their families. These are men and women in uniform who willingly put their lives at risk to preserve our freedoms. They deserve nothing less than full participation in those freedoms as citizens.

The expedited and naturalization of lawful permanent residents who do serve in the military, and also for their families, has been championed by Senator KENNEDY and a number of other colleagues of ours. That provision is in our bill.

This conference report also addresses the Air Force proposal to lease, rather than buy, 100 new tanker aircraft. The Senate Armed Services Committee spent many hours trying to gauge the severity of the problems with the exist-

ing Air Force tanker fleet and the urgency of the requirement to replace those aircraft. In my view, the Air Force was deficient in the case they tried to make that there is an imminent risk to the fleet, but the Air Force did show a long-term requirement for tankers that will ultimately require the fielding of replacement aircraft.

At the same time, the Government Accounting Office, the Congressional Budget Office, and the Congressional Research Service all raised serious questions about whether the lease proposal presented by the Air Force was in the best interest of the taxpayers. According to these independent analyses, the tanker lease proposal was likely to cost the taxpayers as much as \$5 billion more than a traditional purchase of the same aircraft on the same schedule.

After considering these issues, Senator WARNER put forward an alternative approach under which the Air Force would lease 20 tanker aircraft and purchase the remaining 80 aircraft contemplated in the original lease agreement. I supported this creative approach. It would reduce the acquisition cost for aircraft by more than \$4 billion dollars, while allowing the Air Force to acquire the full 100 aircraft that they say they need.

In order to help the Air Force with its funding problems, we agreed to authorize incremental funding of the 80 aircraft purchase, so that the Air Force can budget for aircraft construction costs in the year the costs are incurred, rather than obtaining full budget authority at the time the order is placed. Incremental funding is not generally a good idea, but it is a significant improvement over the lease approach originally proposed by the Air Force in this case.

I want to specifically point out the very creative role of Senator WARNER in coming up with a solution which I was proud to support. This is his creative solution to a real problem. We have a need for new aircraft. The problem is the resources were not there for them. The right way to do this is purchase, not lease. We did the best we could to make it clear at the same time we acquire these aircraft, we want to do it with minimum damage to the usual procurement rules which require a purchase rather than a lease of equipment of this kind.

I was also pleased the conference report includes a Senate provision authorizing the expansion of the cooperative threat reduction program of the Department of Defense and the nonproliferation programs at the Department of Energy, outside of the former Soviet Union. That was the change we were able to make. This is the basically flowering of the Nunn-Lugar program. Senator LUGAR, of course, who is still in this body, is the one who has promoted and prodded and pressed us to do this. He has been absolutely right on this program. They have proven to

be important tools in helping to reduce the proliferation risk from nuclear, chemical, and biological materials in the former Soviet Union.

We give the President the authority which the President requested to continue the destruction of chemical weapons in Russia. It fully funds CTR programs. But at the request of the administration, with full support of Senator LUGAR, who really was a leader in this, and the full support of our chairman and our committee, we have now for the first time, using the authorities in the agreement, allowed the President to use these cooperative threat reduction funds from the Department of Energy Materials Protection and Control Program to meet emerging threats in other parts of the world. It is no longer limited now to the former Soviet Union.

Again, Senator WARNER's total support of this change was instrumental in making it happen.

Mr. WARNER. Mr. President, if the Senator will yield, it certainly was his leadership on those issues, the CTR, the expansion. Truly, I joined you, and felt strongly about them. We were steadfast when the four of us finally got into the conference and settled those points.

Mr. LEVIN. I thank the chairman.

Finally, I am pleased that the conference report includes a Senate provision authorizing the expansion of the Cooperative Threat Reduction program of the Department of Defense and the nonproliferation programs at the Department of Energy outside the Former Soviet Union. These programs have proven to be important tools in helping reduce proliferation risk from nuclear, chemical and biological materials of the Former Soviet Union. This conference agreement also provides the President with the authority he requested to continue destruction of chemical weapons in Russia, and fully funds the CTR programs.

As we have all come to appreciate, however, the risk that nuclear, chemical and biological materials and knowledge will proliferate is not limited to Russia and the other States of the former Soviet Union. For the first time, using the authorities provided in this agreement, the President will be able to use CTR funds, and funds from the Department of Energy, DOE, Materials Protection and Control program, to meet emerging threats in other areas of the world.

I had previously expressed my gratitude to Senator COLLINS for her extraordinary leadership in this effort. Her assessment on the floor is one I join.

The House bill contained a provision, based on an administration proposal, that would fundamentally alter the Federal Civil Service System by authorizing the Secretary of Defense to waive certain provisions of law governing employee performance, pay and allowances, labor relations, hiring and firing, training, pay administration,

oversight and appeals. The House provision included few legislated procedures and processes for the new civilian personnel system, other than the requirement that the new system be "flexible" and "contemporary".

The Federal Civil Service System was established more than a century ago to replace a patronage system that was characterized by favoritism, and abuse. While reform and streamlining of that system is a reasonable objective, it is equally important that we do not allow those abuses to resurface. The House bill would not only have provided the greatest shift of power to the executive branch in memory, it would also have put us at risk to some of the abuses of the past.

Senator COLLINS and I worked together closely to fashion a bipartisan bill in the Governmental Affairs Committee that would provide the Department of Defense the new personnel flexibility that it needs, while preserving important protections for individual employees. Our bill was approved by the Governmental Affairs Committee in early June and became the basis for our negotiations in conference with the House.

The bipartisan approach that Senator COLLINS and I took on this issue met with opposition from the administration at every turn. At times, it appeared that some of our opponents were less interested in enacting sound human capital provisions than they were in providing as much power as possible to the Secretary of Defense.

Nonetheless, we were able to build some important protections into the legislation that is included in this conference report. These include provisions from the Collins-Levin bill that would: preserve the right of individual employees to appeal adverse personnel actions to the Merit Systems Protection Board and, if necessary, the courts; ensure that the new personnel system cannot be used as a basis for reducing the amount of money allocated to civilian pay accounts; provides specific guidance and direction on the implementation of a pay-for-performance system; ensure that the Office of Personnel Management will play a central role in developing a new personnel system for the Department of Defense; and provide for the orderly phase-in of the new personnel system.

The outcome on collective bargaining issues was more of a mixed bag. I believe that the right of employees to participate in labor organizations of their choosing, and to engage in collective bargaining through such organizations, is a fundamental one in our society. This view does not appear to be shared by the White House or the Department of Defense.

Nonetheless, the collective bargaining provisions that Senator COLLINS and I were able to negotiate on this bill are substantially better from our perspective than comparable provisions included in the House bill and the Homeland Security Act.

The Homeland Security Act authorize the Secretary of Homeland Security to waive any and all of the provisions of Chapter 71 of Title 5, which governs labor-management relations for Federal employees. This waiver authority gives the Secretary of Homeland Security complete authority to establish any new labor relations system he may choose, with virtually no statutory limitation. The House bill would have provided the same authority to the Secretary of Defense.

This conference report does not include any authority to waive the requirements of Chapter 71. On the contrary, as the Chairman of the House Government Reform Committee pointed out on the House floor last week, this bill specifically lists the provisions of Chapter 71 as being non-waivable. The bill before us states, and I quote, "Any system established [under this provision] shall . . . not waive, modify, or otherwise affect" Chapter 71. This means that the Department of Defense, unlike the Department of Homeland Security, remains subject to the collective bargaining requirements of Chapter 71.

The conference report also states that, notwithstanding the provision preserving the full force and effect of Chapter 71, the Secretary "may establish and from time to time adjust a labor relations system for the Department of Defense to address the unique role that the Department's civilian workforce plays in supporting the Department's national security mission."

These two provisions must be read together and both must be given meaning. The first provision states that Chapter 71 may not be waived or modified. The second provision states that the Secretary may establish a unique labor relations system. For both provisions to have meaning, the unique labor relations system established by the Secretary must be consistent with the requirements of Chapter 71. For example: Section 7102 of Chapter 71 states that each employee shall have the right to form, join, or assist any labor organization to engage in collective bargaining with respect to the conditions of employment through representatives chosen by employees. The unique labor relations system established by the Secretary must preserve this right.

Section 7105 states that the Federal Labor Relations Authority FLRA shall determine the appropriateness of units for labor organizations representation and supervise or conduct elections within such units. Nothing in the conference report gives the Secretary of Defense any authority to waive or modify this requirement imposed on an independent Federal agency.

Section 7111 requires an agency to accord exclusive recognition to a labor organization if the organization has been selected as the representative by a majority of the employees in a bargaining unit. The unique labor relations system established by the Secretary must preserve this right.

Section 7114 states that a labor organization which has been accorded exclusive recognition as the exclusive representative of the employees in the unit represents and requires an agency to bargain in good faith with such a labor organization. The unique labor relations system established by the Secretary must preserve this right.

Section 7116 provides that it shall be an unfair labor practice for an agency to interfere with, restrain or coerce employees or to refuse to consult or negotiate in good faith with a labor organization. Nothing in the conference report gives the Secretary of Defense any authority to waive or modify this requirement.

Section 7118 authorizes the General Counsel of the FLRA to investigate allegations that any person has engaged in unfair labor practice. Nothing in the conference report gives the Secretary of Defense any authority to waive or modify this requirement applicable to an independent federal agency.

Unfortunately, the conference report does provide for exceptions to the applicability of Chapter 71. In this regard, the conference report specifically provides that the labor relations system established by the Secretary "shall provide for independent third party review of decisions, including defining what decisions are reviewable by the third party, what third party would conduct the review, and the standard or standards for that review." It also states that national level collective bargaining shall "be subject to review by an independent third party only to the extent provided" under this process. This language appears to preclude the appeal of such issues to the Federal Service Impasses Panel under section 7119 of Title 5.

While I was disappointed by the decision to include language limiting the review of collective bargaining decisions, the preservation of other rights under Chapter 71 makes this provision far preferable to the personnel provisions in the House bill or the Homeland Security Act. Senator COLLINS' commitment to this issue has ensured that Department of Defense employees will have far greater protection under the National Security Personnel System than they would otherwise have enjoyed. I commend her for her steadfast determination to make this provision as balanced and as fair as possible.

Several of the environmental provisions in the bill go far beyond what is needed to address the legitimate needs of the Department of Defense.

The first of these would exempt defense lands from critical habitat designations without establishing a suitable alternative environmental safeguard. Both the House bill and the Senate bill recognized DOD's interest in greater flexibility for military training by allowing the use of an "Integrated Natural Resources Management Plan," INRMP, adopted by DOD to protect endangered species in lieu of a critical habitat designation, which would be far

more restrictive. However, the Senate bill included a threshold test—used by the past two administrations—before an INRMP could be approved as a substitute for a critical habitat designation. The House bill contained a much less careful approach.

In the course of the conference, we offered a long series of possible compromises on the threshold test. We suggested that DOD at least show that the INRMP provided a “reasonable benefit” for endangered species, or “appropriate protection” for endangered species—flexible tests that would have given the administration broad discretion to balance military readiness concerns against environmental protection concerns.

We were met with a complete stone wall. We were told that while the Pentagon would of course be “reasonable” and take “appropriate” steps, these words could not be put into statute. Any adjective, we were told, would subject the Department of Defense to “litigation risk.” Of course, the only standard that raises no litigation risk is a standard that imposes no obligation. That appears to be the course that is administration has chosen when it comes to environmental issues.

Similarly, on the Marine Mammal Protection Act, I believe that the Navy has some legitimate concerns about the application of the current statute, but I was concerned that the language in the House bill went too far in trying to address those concerns. As I read that language, the Navy would not even be required to seek a permit under the Marine Mammal Protection Act unless its activities would disturb marine mammals populations to such a significant extent that there are reproductive or survival implications for the species. If for some reason this weren't enough, and a permit wasn't granted, the provision would allow the complete exemption of activities that would have an even greater adverse impact on marine mammals.

I offered to work with the Navy to try to reach agreement on more balanced language that would still address the Navy's concerns. The Navy initially encouraged such discussions, but the Department of Defense soon began to reject any change to the House language. As was the case with the Endangered Species Act, the Administration rejected every proposal that could have garnered broad bipartisan support in favor of an approach that would impose virtually no obligation at all on the Department of Defense to be environmentally responsible. I am concerned that this approach could result in real and unnecessary harm to marine mammals and a serious backlash against the Navy—which could undermine critical readiness activities in the long run.

Finally, I am disappointed by the outcome of the conference on nuclear weapons issues. In my view, this conference report takes the United States in a dangerous new direction that

marks a major shift in American policy, is inconsistent with our longstanding commitment under the Nuclear Nonproliferation Treaty, and undermines our argument to other countries around the world that they should not develop or test nuclear weapons. With this legislation and related actions over the past 2 years, the Bush Administration appears to be moving to change the traditional thinking about nuclear weapons, to make nuclear weapons more usable, and to see them as just another capability. Or, as a recent article in the New York Times Magazine suggests, to make the unthinkable—thinkable.

Current U.S. law bans research and development of new nuclear weapons that could lead to their production. The specific weapons covered by the ban are so called low-yield nuclear weapons which have a nuclear explosive yield of 5 kilotons or less. Five kilotons is roughly a third the size of the nuclear bomb that was used at Hiroshima, which immediately killed an estimated 140,000 people and left many more injured. The Bush administration asked that this ban be repealed. This conference agreement would do so.

There is some satisfaction that the conference agreement includes language adopted on the Senate floor, which would require specific congressional authorization before the administration may engineer, test, produce or deploy a low-yield nuclear weapon. However, this requirement is a poor substitute for current law, which imposes a complete ban on the development of such weapons.

This conference report would also authorize the Bush administration request to continue work on a Robust Nuclear Earth Penetrator, RNEP. As with low-yield nuclear weapons, the Administration would be authorized to proceed with research, but would be required to obtain specific authorization to engineer, test, produce or deploy the RNEP. The RNEP program would modify one of two existing low yield nuclear weapons to create a nuclear weapon that will penetrate rock. Both weapons being looked at for possible modification are high yield nuclear weapons with yields that are approximately 30 and 70 times the explosive power of the Hiroshima bomb.

At a time when the United States is trying to dissuade other countries from going forward with nuclear weapons development, when we strongly oppose North Korea's pulling out of the Nuclear Nonproliferation Treaty, and when we are spending over a billion dollars to prevent the spread of nuclear weapons material and technology, these actions would send a terrible message. We are telling others not to go down the road to nuclear weapons. But instead of being a leader in the effort to prevent the proliferation of nuclear weapons, we are recklessly driving down that same road. In short, the United States is following a policy that we do not—and should not—tolerate in others.

This is an area where many of us have been deeply troubled by the direction of this administration because it would seem at the same time we are trying to dissuade other countries from going forward with nuclear weapons development, when we strongly oppose North Korea's pulling out of the nuclear nonproliferation treaty and when we are spending over \$1 billion to prevent the spread of nuclear weapons material and technology, the actions we are taking here send the wrong message, which is continuing to go down a road of considering new and doing research on new nuclear weapons and modernization of nuclear weapons.

We put something of a lid on it by specific language which the chairman introduced on the floor, which I very much supported and which requires that before we move to a development stage in any new weapon, that there be a specific authorization by the Congress that does give at least some protection, some certainty that we will not move to the development stage of a new modernized nuclear weapon without thorough consideration of the Congress. That, at least, is some constraint on that development.

Finally, again, I thank our chairman for bringing this bill to the floor. It has taken tenacity and patience and all the other wonderful qualities he has to make it possible. He has a wonderful way of being inclusive and open in a way that is appreciated by everybody. It has been noted on the floor many times in the last few hours.

I also thank our ranking minority members, as well as the other members of our committee who chair the subcommittees, for all the support they have given to this bill throughout the year. It took a long, long time for this bill to come to the floor and, finally, for us to come up with a conference report. We have a truly talented group of members on our committee.

Of course, as the ranking member, I focus on the other ranking members of the subcommittees, but I know I speak for Senator WARNER in thanking all of the members of our committee. He has already thanked all the members of the committee for their work this year.

I thank our staff for their hard work, including Judy Ansley, Rick DeBobs, Chuck Alsop, Ken Barbee, Mike Berger, June Borawski, Leah Brewer, Jennifer Cave, David Cherington, Chris Cowart, Dan Cox, Madelyn Creedon, Mitch Crosswait, Marie Fab Dickinson, Brie Eisen, Evelyn Farkas, Richard Fieldhouse, Andy Florell, Brian Green, Creighton Greene, Bill Greenwalt, Carolyn Hanna, Jeremy Hekhuis, Bridget Higgins, Bruce Hock, Gary Howard, Andrew Kent, Jennifer Key, Greg Kiley, Maren Leed, Gary Leeling, Peter Levine, Patty Lewis, Tom MacKenzie, Sara Mareno, Ann Mittermeyer, Lucian Niemeyer, Cindy Pearson, Paula Philbin, Lynn Rusten, Arun Seraphin, Joe Sixeas, Christy Still, Scott Stucky, Mary Louise Wagner, Dick Walsh, Nicholas West, and Kelley Wilson.

We could not have come to this position without our staff. If I can single out Rick DeBoges' work in particular, I know Judy will forgive me. This is his first year as staff director on our side, and Rick's work has been nothing less than extraordinary. It is exactly what we have come to expect from him.

I must also note Peter Levine, because of his continuous work. I probably should not single out anybody other than Rick, but I think all the members of the staff on this side will also understand why I single out Peter, in addition to Rick DeBoges, for the kind of work they have given this committee this year.

Mr. WARNER. Mr. President, I thank my colleague. I take note that Peter Levine is here and he has been referred to on our side as the damage control expert, and he is very effective in these areas.

I must inquire of my distinguished colleague, was the long hand of David Lyles felt in this program, the former staff director of Senator LEVIN for these many years? I somehow see the fine hand of David Lyles.

Mr. LEVIN. His influence continues. He is now my chief of staff on my personal staff. He takes, of course, a major interest in this area, as he always has. I am sure Rick and Peter and all the others would say having David on my personal staff is a big plus.

Mr. WARNER. It is a big plus to us, also. I take this opportunity to thank all of the staff members listed by my good friend and colleague, Senator LEVIN.

Mr. President, I want to reach across the aisle, while nobody is looking, and shake hands with my colleague. We have worked together these 25 years and we are a pretty good team. It is a sheer joy to work with him.

#### MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Ohio is recognized.

#### TRIBUTE TO ARMY PRIVATE FIRST CLASS MARLIN T. ROCKHOLD

Mr. DEWINE. Mr. President, at a wreath-laying ceremony at Arlington National Cemetery on this day—Veterans Day—nearly two decades ago in 1985, President Ronald Reagan spoke about the responsibility we, the living, have in remembering those who have died for us on the field of battle. At that ceremony, President Reagan said this:

There is a special sadness that accompanies the death of a serviceman [or woman], for we're never quite good enough to them—not really; we can't be, because what they gave us is beyond our powers to repay. And

so, when a service [member] dies, it's a tear in the fabric, a break in the whole, and all we can do is remember.

Today, I come again to the floor of the U.S. Senate to remember an Ohio serviceman who gave his life to protect us, to protect our families, and to help liberate the Iraqi people. Army Private First Class Marlin Tyrone Rockhold, who proudly served with the 3rd Battalion, 7th Infantry Regiment of the 3rd Mechanized Infantry Division, was killed on May 8, 2003, by a sniper in Baghdad.

He was 23 years old.

Marlin Rockhold—"Rocko" to his family and friends—was born in Hamilton, OH, on July 1, 1979. He attended school in Butler County and graduated from Hamilton High School in 1998, where he was a well-liked student and member of the Hamilton Big Blue football squad. As his grandmother, Eileen Henderson, described, "Marlin just about always had a smile. He was a person you just had to like."

Though a kidder growing up, Marlin also had a quiet, determined, serious side. After graduation, he set out to realize a dream—a dream he had since childhood. Marlin Rockhold's dream, was to join the military. From the time he was a little boy, he wanted to become a soldier. He wanted to see the world. He wanted to see a life outside of Hamilton. He wanted to serve the country he so dearly loved.

And so, on March 4, 2002, Marlin joined the Army and was sent to Boot Camp at Fort Benning, GA. From there, he was stationed at Fort Stewart, GA. On January 20, 2003, he was sent to Kuwait and eventually went on to serve in Iraq as part of Operation Iraqi Freedom.

Mr. President, for as much as Marlin Rockhold loved the Army, he loved his family even more. In fact, two days before he joined the service, on March 2, 2002, he married the love of his life, DaVonna. Marlin was thrilled to begin his family with her and her daughter, Therashia. He loved them both with every ounce of his being. They meant the world to him. He devoted his life to them.

While he was in Iraq, Marlin often wrote letters to his wife and his family. In one letter to his grandmother, he wrote that no one wants to fight a war, but sometimes you do what you have to do.

Through his service in the Army, PFC Marlin Rockhold was doing what he believed in. He didn't want to leave his family. He didn't want to fight a war. But Marlin Rockhold did what he felt he had to do. As Rev. Lonnie Napier said at Marlin's memorial service:

He was willing to join the fight for the hopeless so that they might be free.

Marlin Rockhold was a good soldier. He was a good man. Marlin's sister Brooke said he "always was determined to be happy. Now he's with the Lord. He's happy."

I attended Marlin's funeral, and I am grateful to have had the chance to hear

his family talk about the "Rocko" they so deeply loved and admired. At the service, Marlin's brother Derrick said:

My brother is a hero, my hero, our hero. He is my inspiration. My brother's legacy will live forever in our hearts.

Without question, Marlin Rockhold is a hero, and his legacy will live on through all who knew him and loved him.

In addition to his wife and daughter, left to cherish his memory are his mother Mary, his father Gary, his stepmother Joan, his grandmother Eileen, his four brothers, Keith, Derrick, Gregory, and Anton, his two sisters, Brooke and Kara, his in-laws Dorothy and Clarence and Demery and Patricia, and several aunts and uncles and nieces and nephews.

I know they will miss Marlin deeply. My thoughts and prayers are with them all.

I would like to close with something Marlin's wife Davonna said. She said this:

I just want Marlin to be remembered—that he [won't] be forgotten. I'll never forget him.

We, too, will never forget Marlin Rockhold. We will always remember him because, as President Reagan said at the conclusion of his remarks at Arlington National Cemetery on that Veterans Day 17 years ago:

We owe a debt we can never repay. All we can do is remember [the soldiers who have died] and what they did and why they had to be brave for us. All we can do is try to see that other young men and women never have to join them.

#### TRIBUTE TO BILL MAULDIN

Mr. DEWINE. Mr. President, today on Veterans Day, we are reminded of the sacrifices of all those who have served in our Armed Forces. We honor them, we remember them, and we thank them.

Today I would like to talk about a veteran who proudly served in World War II, a veteran who died this past year, and a veteran who has, I think, great meaning for those who served in World War II. He was a soldier who told the stories of World War II through these drawings. That man, of course, is Bill Mauldin. He is remembered for depicting in his cartoons the average World War II soldier, the person who was doing his job, just trying to survive, trying to get home; the average World War II soldier who won the war; the average soldier to whom we all owe so much.

While Bill Mauldin was depicting the soldier of that generation, in a sense he was depicting all those who serve and who have ever served.

Bill Mauldin passed away on January 22 of this year at the age of 81 following a courageous battle against Alzheimer's disease.

World War II veterans felt and continue to feel an attachment to Bill Mauldin because he really seemed to understand what a typical GI was

going through, and his drawings depicted that. Bill Mauldin's work as a military and civilian cartoonist and writer brought a spirited, insightful, and human touch to the issues and people whom he covered. He is perhaps best known for two of the cartoon characters he created, Willie and Joe, whose adventures took them across various battlefields of World War II.

Willie and Joe were both young enlistees on the front lines of combat, very much like Mr. Mauldin himself, a 1940 callup to the Army from the Arizona National Guard who spent a considerable amount of time in the North African and European battle theaters.

Willie and Joe were not the straight-edged soldiers we often find in official wartime publications or Hollywood films. Rather, these two cartoon heroes lived the lives of men defined by the difficult surroundings and tasks at hand during World War II—soldiers resolved to give their all in the few matters they could control and resigned to hope for the best in those which they could not.

I think the late historian Stephen Ambrose said it best in the introduction to a re-issue of Mauldin's widely read post-war cartoon compilation entitled "Up Front." According to Ambrose, Bill Mauldin's cartoons "caught on and live on because in them everything is accurate. . . . Willie and Joe's boots and smelly socks, their baggy, dirty uniforms, their knives, rifles, ammunition, mortars, web belts, canteens, beards, haversacks, helmets (with crease marks or holes), the rations—this is how it was."

Ambrose really got it right. Mauldin's unique ability to capture the young soldier's perspective on day-to-day life during the war in an inclusive and patriotic manner earned his work the distinction of regular publication in numerous military newspapers, including Stars and Stripes and the 45th Division News. His work also won him the respect of fellow soldiers across the globe, one of whom recently described Willie and Joe as "a secret weapon on our side."

Willie and Joe were featured in Mauldin's first post-war compilation of cartoons and essays entitled "Back Home." The success "Back Home" had in bookstores across the country propelled Mauldin to even greater fame, winning him the opportunity to publish several more works and even act in a few motion pictures.

In fact, Mauldin is so well respected that in 1945, at the age of 23, he received a Pulitzer Prize soon after Time magazine featured him on its cover. Following the conclusion of World War II, Mauldin began a career as a political cartoonist for several major U.S. newspapers, including the Chicago Sun-Times and then the St. Louis Post-Dispatch, stirring up high-profile issues along the way. He won a second Pulitzer Prize in 1959 for a cartoon he drew depicting the Soviet Union's harsh treatment of renowned writer and

Nobel Prize winner Boris Pasternak. Bill Mauldin has touched my generation with one of his most famous drawings, a drawing I certainly remember and I know anyone in my generation remembers. It was a drawing from now what has been 40 years ago of a statue of Abraham Lincoln at the Lincoln Memorial with his face cupped in his hand, weeping, following the assassination of President John F. Kennedy.

I will not forget that image, and I am sure there are many Members of the Senate and across this country who will not forget that, either.

Bill Mauldin was a creative, artistic genius who could capture so much about people and the human condition in the simplicity of his drawings. He could capture in those cartoons what words alone could not. Bill Mauldin had the gift and he used it well. On Veterans Day this year, we should thank Bill Mauldin for that gift and for his service to our Nation, for what he did to represent in drawings the average GI in World War II—and in a sense the average GI throughout our long history as a country—for what he did to communicate to so many the way life was for our troops.

I would also like to take this opportunity to send that same message of thanks on this Veterans Day to all of our current and former service men and women. Whether on the islands of the South Pacific, in the air over France, or on land in France or in Germany, on the beaches of Sicily, the mountains in Korea, the jungles of Vietnam, the deserts of Kuwait, more recently in the caves of Afghanistan or the streets of Baghdad, our service men and women have defended America and they defended our values with great valor. We must never forget that veterans served for us, they served for our children, for our grandchildren, and for future generations not yet born.

Today on this Veterans Day our service men and women continue to serve around the world. We pause again tonight to thank our veterans, thank those who have served in the past, and to remember our service men and women who are serving at this very hour tonight.

#### CONGRATULATIONS TO EVERETT "EP" HOWE

Mr. DASCHLE. Mr. President, this Veterans Day, members of the Rapid City and Ellsworth Air Force Base communities will gather to honor Everett "Ep" Howe for his lifetime of dedicated service. Today I salute the life and work of one of South Dakota's finest patriots.

For nearly 70 years, Ep has dedicated himself to serving his community and his country. He began his career in the public service, joining the Civilian Conservation Corps in 1921, and serving as Park Ranger and U.S. Border Patrol Officer before joining the military in 1944. He proudly served in the U.S. Marine Corps from 1944 to 1948, including

a tour with the 9th Marine Aircraft Wing during World War II.

Discharged as a Marine Sergeant, he returned to Rapid City, his wife, Grace, and a career in construction. To say that, in many ways, Ellsworth Air Force Base is "The House That Ep Built," is no measure of hyperbole. Not only has he donated land and raised money for the base, he actually contributed to the construction of some of its buildings. During his time with both Hacket Construction and Corner, Howe, & Lee Construction, he worked on a number of projects at what is now Ellsworth, including the construction of the original Rapid City Air Force Base, which opened in 1942.

Throughout his life, Ep has been a tremendous supporter and friend of the military. A longtime committee member of the South Dakota Employer Support of the Guard and Reserve and of the Rapid City Chamber of Commerce Military Affairs Committee, he has been particularly dedicated to strengthening relationships between civilian and military communities. He has received several awards for his work in the military community, including the Department of Defense "Lifetime Achievement Award" and the South Dakota National Guard Major General Williamson Militia Award.

In addition to supporting the military, he has been a tireless and dedicated servant of his community. He has served on the South Dakota Highway Commission, the Rapid City Area Disaster Foundation, the YMCA Board of Directors and Board of Trustees, and the American Legion. He has also been a dedicated member of First Presbyterian Church in Rapid City, the Rapid City Chamber of Commerce, and the local Elks Lodge. Not surprisingly, Ep has received a number of awards for his work in the community as well, including being named "Mr. Rapid City" for his lifelong service as a community leader.

On Veterans Day, a bust of Ep will be unveiled in Building 450 on Ellsworth Air Force Base. It is only fitting that this bust will occupy the building where leaders of the South Dakota National Guard regularly meet. Ep's bust will look down on the proceedings and provide these leaders what he has provided so many South Dakotans over the years; a friendly countenance, moral support, and a model for community leadership. I commend Ep for his lifetime of accomplishment, and offer my deepest gratitude for the work he has done and continues to do.

#### HONORING OUR ARMED FORCES

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of James Wolf, a fellow Nebraskan and Specialist in the United States Army. Specialist Wolf was killed on November 6, 2003, in Mosul, Iraq, when a bomb exploded near the convoy he was traveling in. He was 21 years old.



Specialist Wolf was an engineer assigned to the Headquarters and Headquarters Company of the 52nd Engineer Battalion of the 43rd Area Support Group, based in Fort Carson, CO. He was one of thousands of brave American service men and women serving in Iraq who confront danger everyday. Their tremendous risks and sacrifices must never be taken for granted.

In October, Specialist Wolf spent 2 weeks of leave with his family in his hometown of Scottsbluff, NE. While there, he visited his alma mater, Scottsbluff High School, and thanked students for writing to him in Iraq. Specialist Wolf leaves behind parents, Bob and Chris; brother, David; and sisters, Elli and Rachel. Our thoughts and prayers are with them all at this difficult time.

In Iraq, Specialist Wolf assisted with the construction of housing and schools for U.S. soldiers and Iraqi citizens. He will be remembered as a dedicated soldier with an optimistic outlook on life.

For his service, bravery, and sacrifice, I ask my colleagues to join me and all Americans in honoring Specialist Wolf.

(At the request of Mr. DASCHLE, the following statements were ordered to be printed in the RECORD.)

SSG DANIEL BADER

• Mr. NELSON of Nebraska. Mr. President, I rise today in honor of SSG Daniel Bader, a member of the Air Defense Artillery Battery, 1st Squadron, 3rd Armored Cavalry Regiment.

SSG Daniel Bader lived in Colorado for most of his life, but he always loved Nebraska. As a child growing up in York he watched his father put on his Reserve uniform for weekend duty. From his father's example, Daniel Bader learned that sacrifice is part of life and serving your country is an honorable way to live life. While in high school, Daniel Bader followed in his father's footsteps and joined the Guard himself and after graduation he went on to active duty. He excelled in the Army, rising to staff sergeant in just 8 years. In addition to being a soldier and a patriot, Staff Sergeant Bader was also a loving husband and father. In these family roles he also served honorably. Daniel Bader will forever serve as an example for all Americans of the kind of life in service one can live.

Staff Sergeant Bader was on his way home for 2 weeks' leave when his helicopter crashed in Fallujah on November 2. He leaves behind his wife Tiffany and a 14-month-old daughter Taryn Makenzie. A devoted family man, Daniel Bader had asked to be buried next to his grandfather at Rose Hill Cemetery in Palmer, NE. I know my fellow Nebraskans and all Americans join me in honoring and remembering Daniel Bader and the sacrifice he made for his family and our Nation.●

SSG CHRISTOPHER W. SWISHER

• Mr. NELSON of Nebraska. Mr. President, I rise today to honor SSG Chris-

topher Swisher, a native of Lincoln, NE and a member of 2nd Armored Cavalry Regiment.

Staff Sergeant Swisher's mom once said, "Chris was military from the day he was born. Knowing this keeps me going." As a young boy, Christopher W. Swisher wore camouflage T-shirts and dreamed of joining the military. After graduating from Lincoln Northeast High School, he worked hard to overcome his dyslexia and joined the Army.

Chris Swisher came from a Nebraska family with a proud military background. His older brother Terry served bravely as a Marine in Operation Desert Storm. The brothers played war games as children, both dreaming of the day they could wear the uniform of the United States military.

Staff Sergeant Swisher was killed on October 9, 2003 when his unit was ambushed while on patrol in Baghdad. He was supposed to be home by then, originally scheduled to return on September 29, but like many of our soldiers serving in Iraq, his tour was extended. His family was disappointed but Chris Swisher was doing what he loved to do.

All Nebraskans grieve for the Swisher family and we offer them our thoughts and prayers. The Swisher family can take some comfort in the brave words Chris spoke to his mother before he left for duty in Iraq: "I'm doing what I want to be doing because I'm protecting my family, my home and my country."●

PO3 DAVID J. MORENO

• Mr. NELSON of Nebraska. Mr. President, I rise today to honor PO3 David J. Moreno, a member of the 4th Marine Division Detachment, Naval Medical Center, San Diego.

Petty Officer 3rd Class Moreno dreamed of becoming a doctor. The California native lived briefly in Gering, NE and attended the University of Nebraska at Lincoln before joining the Navy. It was in the Navy that he discovered his love for medicine. He earned his Emergency Medical Technical License and served the men and women of our Armed Services honorably as a Navy medic.

Petty Officer 3rd Class Moreno died from a non-hostile gunshot wound in Hamishiyah on July 17, 2003. David Moreno died while serving his nation in a job he truly enjoyed. His sacrifice, along with the sacrifices made by his brothers-in-arms in Iraq and elsewhere during the global war on terrorism, serves as a reminder to Nebraskans and all Americans that freedom and liberty do not come easy. The cost of freedom and liberty is measured in sacrifice and David Moreno made the ultimate sacrifice to preserve these ideals for the rest of us. His sacrifice for freedom, liberty and our Nation is remembered today as we send our thoughts and prayers to his family in Nebraska and elsewhere.●

SSG BRETT J. PETRIKEN

• Mr. NELSON of Nebraska. Mr. President, I rise today to honor SSG Brett Petriken of Omaha, NE.

A member of the 501st Military Police Company, Staff Sergeant Petriken served his nation bravely. In times of war, danger lurks at every turn and he knew this to be true, especially in a war zone like Iraq. Staff Sergeant Petriken lost his life when a heavy equipment transporter crossed the median and struck the Humvee he was in on May 26, 2003, in Samawa, Iraq.

Brett Petriken is a shining example of a soldier who put his life on the line to protect those he knew and loved and even those he didn't know and love. His family should think of him and remember what is most important to them, his role in their lives. Americans should think of him and remember that he died in the line of duty upholding the ideals of freedom and liberty and protecting the United States from the new invisible foes that represent a tremendous threat to our nation. As a nation we are grateful to soldiers like Brett Petriken and others like him who make the ultimate sacrifice so that others can live free.●

SP NATHANIEL A. CALDWELL

• Mr. NELSON of Nebraska. Mr. President, I rise today to honor Army SP Nathaniel A. Caldwell of Omaha. Specialist Caldwell, a member of the 115th Military Police Company, Army National Guard, was killed when his vehicle rolled over while responding to a civilian call on May 21, 2003 in Baghdad, Iraq.

Specialist Caldwell joined the armed services shortly after September 11 to serve his county. His commitment to protecting America at home and abroad is inspiring to us all. Nebraskans can look to Specialist Caldwell as an example of an American inspired to serve his Nation. He did so bravely. His sacrifice will forever remind the nation of the danger that comes with the duty to protect our Nation's interests and to preserve the flame of liberty for Americans and for all the world's people.

I know I join all Nebraskans in offering our thoughts and prayers for his family in Texas, Oklahoma, and elsewhere.●

CPT TRAVIS A. FORD

• Mr. NELSON of Nebraska. Mr. President, I rise today to honor CPT Travis A. Ford of Ogallala, NE. Captain Ford always gave 100 percent in everything he did. He excelled in high school sports and brought his enthusiasm to the Yell Squad at Husker football games while he attended the University of Nebraska at Lincoln.

As a Marine, he was selfless. A member of the Light Attack Helicopter Squadron 267, Marine Aircraft group 39, 3rd Marine Aircraft Wing, he volunteered to fly extra shifts so that younger Marines could get some sleep in the early days of the war. When his AH-1W Super Cobra attack helicopter crashed on April 4, 2003, during combat operations near Baghdad he became the first Nebraskan to give his life in Operation Iraqi Freedom.

Captain Ford will be greatly missed and our thoughts and prayers are with

his family and friends in Ogallala, but Captain Ford will also be remembered for the shining example of patriotism, dedication and commitment that he set as a brave member of the Marines.●

SP1 JAMES WOLF

● Mr. NELSON of Nebraska. Mr. President, I rise today in honor of SP1 James Wolf, a member of the Headquarters and Headquarters Company, 52nd Engineer Battalion of the 43rd Area Support Group.

Specialist Wolf stopped in to visit the students at the Lincoln Heights Elementary School in Scottsbluff, NE when he was home on leave just a few short weeks ago. He wanted to thank all the students who had written letters to him while he was in Iraq and he told them how the letters they had written lifted his spirits and how he shared their letters with soldiers around him who did not receive any mail of their own.

He recently returned to Iraq where he was performing valuable work rebuilding schools, homes, and providing safe drinking water. Tragically, he was killed on November 6, 2003 when an improvised explosive device detonated near his truck convoy.

His death was a blow to the Scottsbluff community where he was remembered as a young man with a lot of spunk and someone who wanted to make a difference. He is the son of Bob and Chris Wolf of Scottsbluff. His mother said of him, "He was very proud of what he did. He talked about making it a career, and he had such a sense of purpose. It was awesome just to hear him." James' sister Rachel, a 2003 graduate of Scottsbluff High, informed the school of her brother's death. Kirk Begley, principal at Scottsbluff High, said it was a "sad, sad day when we had to let the staff know." Begley said James Wolf was "just an all around great kid and was adamant about being a soldier."

Specialist First Class Wolf will be missed greatly by his family and friends and the entire Scottsbluff community. He will also be remembered as a soldier whose patriotism inspired his community. I would like to express my deepest sympathy for the Wolf family and I know all Nebraskans join me in remembering and honoring James' contributions to Scottsbluff and his sacrifice on behalf of his country.●

#### TRIBUTE TO THE 10TH MOUNTAIN DIVISION

Mr. JEFFORDS. Mr. President, I rise today to pay tribute to the 250 outstanding Vermonters who served in the 10th Mountain Division during World War II. I want to commend the Vermont Ski Museum for recognizing the significant contributions of these exceptional men by inducting them into the Ski Hall of Fame.

As a fellow veteran who grew up in the era of World War II, I remember President Roosevelt's call for volunteers. It came as no surprise that when

the military asked for skiers, trappers, and woodsmen to serve in the 10th Division, many of those who responded to the call of duty were from our own Green Mountain State. For a young boy in Rutland, VT, these men were my heroes.

The 10th Mountain Division distinguished itself in fighting on the island of Kiska in Alaska and in the mountains of Italy. Recently we have been reminded of the effectiveness of these soldiers on skis. At a time when modern weapons and sophisticated technology seemed to overshadow the 10th Division's skills, recent conflicts in Afghanistan and other parts of the world have shown us that much of war boils down to human fortitude and a single man against the elements. Modern warfare has not proven to be more effective than the 10th Mountain Division when it comes to fighting in these extreme elements over rugged terrain. We are coming back to basics, and hopefully military planners will never doubt the necessity of divisions with skills like the 10th as part of our national defense.

After the war, many of the veterans of the 10th Mountain Division came home to leave their mark on the ski industry. Vermont was no exception, and the ski industry has flourished here due in part to the passion these individuals have for skiing. They are indeed members of the Greatest Generation and their selfless contributions are evident throughout our State.

I applaud the Ski Museum for acknowledging your individual sacrifices, your defense of our country and your contributions to skiing. It is a privilege for me to join the many others in honoring each of you. You continue to be my heroes.

#### THE ARMED FORCES RELIEF TRUST

Mr. ALLARD. Mr. President, I rise today to recognize an important program that significantly assists our men and women who are fighting abroad.

The war on terrorism is being fought on many fronts and around the world. Today, there are more than 140,000 troops stationed in Iraq, Afghanistan, and many more around the world.

Many of these troops served in Afghanistan only to be almost immediately redeployed to fight in Iraq. These extended deployments have been trying for those left behind. But they have stepped up and met the challenge. They have answered the Nation's call with enthusiasm and dedication.

In Colorado, the large deployment from Ft. Carson has shown just how difficult it can be for many military families when our troops must be sent abroad. While the military is dedicated to taking care of its own, the current situation abroad means needs of the family will only continue to escalate.

To address this, the four relief agencies representing the Army, Navy, Marine Corps, and Air Force recently

combined into one umbrella relief organization in order to better provide assistance.

The National Association of Broadcasters and its 1,000 television station and 6,000 radio station members recently produced and disturbed Public Service Announcements that encourage viewers and listeners to contribute to the Armed Forces Relief Trust.

Broadcasters have a long history of involvement in this country's national security. I commend them for dedicating airtime to this worthwhile cause.

Last year, together, the four relief agencies distributed \$109 million to military families in need. I am confident that by streamlining operations into one entity and with help from local broadcast stations to get the word out, the Armed Forces Relief Trust will be able to assist even more military families.

We are counting on our brave young men and women in the field. They are relying on the Armed Forces Relief Trust, and the trust is counting on local broadcast stations. Local radio and television stations are performing an invaluable public service through this program, and I salute them.

Since today is Veterans Day, I also salute those who have already experienced the hardships of war much like those currently stationed in Iraq and Afghanistan. I believe the most important thing we can do for our veterans is say thank you for their service and sacrifice to our country.

#### NFL MILITARY AWARENESS INITIATIVE

Mr. ALEXANDER. Mr. President, on this Veterans Day I recognize a military public awareness initiative that Mr. K. S., Bud, Adams, the founder and owner of our NFL Tennessee Titans, played a strong role in instituting this past weekend. Mr. Adams, a U.S. Naval Officer during World War II, and five other National Football League owners who also served in the military during that same time, urged NFL Commissioner Paul Tagliabue to launch this campaign to help the hundreds of American families of our brave military servicemen and women who have died for our country in the line of duty in Afghanistan and Iraq. Mr. Adams and his fellow NFL owners urged NFL headquarters to initiate an awareness campaign at NFL stadiums and on NFL game telecasts starting Veterans Day Weekend, November 9-11, to help bring attention to the difficult financial situation that our military dependents face in the days and weeks immediately after a serviceman's or woman's death in the Middle East.

The other five NFL owners who served during World War II are Tom Benson, New Orleans Saints; Wellington Mara, New York Giants; Art Modell, Baltimore Ravens; Alex Spanos, San Diego Chargers; and Ralph Wilson, Buffalo Bills.

As Commissioner Tagliabue said in announcing this new program: "Our clubs recognize that the men and women of our Armed Forces are tremendous NFL fans. This program is one small way to repay that support to families who lose a loved one in defense of our country in the Middle East. Our NFL owners, coaches and players speak with one voice when it comes to this project."

The campaign cornerstone is a new national TV and radio announcement produced by NFL Films that aired on every NFL game telecast this past Veterans Day weekend. It is narrated by Vietnam veteran and former Pittsburgh Steelers running back Rocky Bleier. The message encourages NFL fans to support the Intrepid Foundation's Fallen Heroes Fund, which provides an immediate \$10,000 grant to military families who have paid the ultimate price with the loss of a member in Iraq or Afghanistan. The following is the text for the television message narrated by Bleier:

The National Football League family is committed to supporting the courageous men and women serving in the U.S. Armed Forces in the Mideast.

But the fight for freedom is not without loss.

And the NFL urges you to join us and the Intrepid Fallen Heroes Fund in supporting the military families of those heroes who have sacrificed their lives in the service of our country.

Please visit [www.nfl.com/heroesfund](http://www.nfl.com/heroesfund) and help support those families in need.

This program—and the \$100,000 contribution that the NFL made to kickoff the initiative—is the latest in the NFL's continuing support of our U.S. military personnel. That tremendous NFL support dates back at least to World War II when 638 NFL players served in the military, including 19 who were killed in action. The NFL has worked with the USO for decades in sending NFL players overseas to Vietnam, Korea and more recently Iraq to let our courageous troops know that they are not forgotten.

I hope you will join me in applauding Mr. Adams and the NFL for their latest "Families Helping Families" public awareness program and thank them for their support of our brave men and women in uniform.

#### FISHERIES MANAGEMENT

Ms. COLLINS. Mr. President, I rise today to draw attention to a looming crisis for New England's groundfishermen. Last week, the New England Fishery Management Council voted to adopt a set of new regulations, known as Amendment 13. This package of regulations will permanently alter the character of New England's groundfish fishery, and will particularly harm the fishermen in my home State of Maine. This sweeping change in fisheries management is largely unneeded; in fact, most stocks of fish in the groundfish complex are rapidly rebuilding. There is a much larger problem in

the fishery management process that has subverted a system of rational management and forced these unnecessary changes on our fishing industry. That problem is excessive litigation.

Amendment 13, like many other regulations driven by excessive litigation, will permanently harm Maine's fishermen and related businesses. Historically, numerous coastal communities in Maine have taken part in and benefited from the groundfish fishery. Unfortunately, regulatory changes will force many of Maine's smaller groundfish boats out of the industry. Small fishing communities like Stonington, Rockland, and Port Clyde which used to be home to many groundfish vessels, are already suffering due to restricted access to fish stocks. The changes to these coastal communities clearly stem from regulations born of excessive litigation.

Further, these burdensome regulations will hurt boats of all sizes. Many small boats will not survive due to severe cuts in fishing time combined with the long distances that must be traveled in order to access fish stocks. In addition, Maine's larger vessels are leaving our States, moving to southern New England ports, in an effort to survive this latest round of regulations. The damaging effect of such an exodus on Maine's fishing infrastructure, which is at a critical minimum, will be irreparable. As Amendment 13 is put into place, revenues will continue to move south, and Maine's working waterfront will vanish, to be replaced by coastal development.

The drastic sacrifices demanded of our fishermen might be worthwhile if New England groundfish were truly at risk. However, fish stocks are rebounding at a tremendous rate. For example, Georges Bank haddock biomass figures have gone from less than 20,000 metric tons in 1994 to roughly 100,000 metric tons in 2002. Overall, groundfish biomass figures have tripled since 1994. This fishery is a success story. Unfortunately, litigants refuse to agree. They have stolen management authority away from the regional councils and given this power to the courts, which are particularly ill-suited to make biological decisions.

Excessive litigation also diverts precious resources from the main mission of the National Marine Fisheries Service: fisheries management. Each year the Service spends time and money defending itself in the courts. In fact, this year the Senate is considering appropriating \$5 million to the National Marine Fisheries Service exclusively for the purpose of fighting litigation. This money could be better spent conducting research, if our management system was not engulfed in litigation.

We all suffer when a management system is under siege from excessive litigation. As in the case of Amendment 13, management plans are developed under an aura of crisis where managers must meet court-appointed goals before court-appointed deadlines.

What we need instead, is fisheries management developed with measure and reason. We need a system where the views of stakeholders are valued.

In 1976, Congress passed the Fishery Conservation and Management Act. One of the strongest aspects of this act was the creation of regional fishery management councils. These councils rely on the participation of those who know the most about our Nation's fisheries. Unfortunately, some advocacy groups have chosen to bypass the council system by proceeding straight to court. In fact, one of these groups has already threatened to sue the National Marine Fisheries Service if they do not get what they want out of Amendment 13. This is truly discouraging, considering these regulations have yet to be published. Excessive litigation should not continue to diminish the participatory nature of fisheries management by removing decision-making authority away from those most qualified to manage our Nation's fisheries.

The Amendment 13 process is a clear example of why fisheries management belongs in the hands of fisheries managers. The courts handed our regional managers a set of impossible goals and an impossible time frame in which to achieve these goals. Nothing but the impossible can result from this situation, despite the efforts of regional managers to create a reasonable management plan. This entire process only demonstrates the weaknesses of regulation driven by excessive litigation, and the need to take management decisions out of the courts and place them back in the council system. That will require changes in the law.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe one such crime today. In September 1997, a gay man in Williamstown, NJ, was beaten enough to receive a black eye, at least two broken toes, and bruises all over his body. Later that day, his house was egged and a brick thrown through a window. Local kids, who allegedly committed the assault, screamed "you got what you deserve, you faggot," at the time of the incident.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

# CONGRATULATING LTC MICHAEL E. HOGAN ON HIS RETIREMENT

Mr. INHOFE. Mr. President, I would like to congratulate one of Oklahoma's finest soldiers, LTC Michael E. Hogan, who is retiring after a distinguished career of over 20 years of exceptionally meritorious conduct in the United States Army. Lieutenant Colonel Hogan was commissioned as a Second Lieutenant, Field Artillery, after graduating from the United States Military Academy. His first assignment was as a Fire Support Team Chief, HHB, 2d Battalion, 6th Infantry Division, Fort Ord, CA. Demonstrating keen expertise and artillery skills, he moved through various positions in the unit, including Firing Battery Fire Direction Officer, Executive Officer, and Battalion Fire Direction Officer. After developing and mastering the required skills as an Artilleryman through an assignment in Camp Casey, Korea, Lieutenant Colonel Hogan was moved to Fort Sill, OK, where he assumed a role on the faculty of the Field Artillery School.

In 1989, Lieutenant Colonel Hogan served as the Battery Commander for Bravo Battery, 2d Battalion, with 105mm Howitzers, for almost 2 years. Because of his expertise in artillery systems, he was moved to a position as a test officer with the U.S. Army Operational Test and Evaluation Center. After further refining his skills in artillery systems while performing as a test team chief, Lieutenant Colonel Hogan was moved to a position as an executive officer with the 6th FA Battalion, Fort Sill, OK. In 1997, while in the position on the Corps Artillery Staff, Lieutenant Colonel Hogan was deployed to Haiti where he served 6 months as the Joint Task Force Chief of Staff. Upon his return to Fort Sill, he was installed as the executive officer for the 212th Field Artillery Brigade. After serving in this position for approximately 1 year, Lieutenant Colonel Hogan was sent to the Pentagon as a representative of the regimental staff of the Field Artillery Center, with duty in the Office of the Chief of Legislative Liaison.

Lieutenant Colonel Hogan directly applied special talents and expertise as a Hardware Congressional Liaison Officer in the Office of the Secretary of the Army, Legislative Liaison Programs Division from March 2000 through February 2004. Lieutenant Colonel Hogan maintained a constant liaison with professional staff members of the Senate and House Armed Services Committees on critical issues relating to army procurement programs such as the Crusader Field Artillery System, Stryker, and the Army's top priority, the Future Combat System.

Throughout these assignments, Lieutenant Colonel Hogan has provided outstanding leadership, advice, and sound professional judgment on significant issues that affected both the Army and Congress. His actions and counsel were invaluable to Army leaders and Members of Congress as they considered the

impact of important issues. Lieutenant Colonel Hogan's dedication to accomplishing the Army's legislative liaison mission has been extraordinary. He is truly an outstanding officer who displays superb professional leadership skills and is totally dedicated to mission accomplishment in the highest traditions of military service. I am proud to call him a constituent, and wish him well in his future endeavors.

## TRIBUTE TO COMMANDER WILLIE MCCOOL

Mr. MCCAIN. Mr. President, I rise to pay my respects to my fellow veterans. It is only through the leadership, dedication, and sacrifice of our men and women in uniform that we are able to enjoy the freedoms that we value so much as Americans. We cheer our veterans at homecomings and parades, and we grieve for them when they do not come home. At critical times in U.S. history, as we are facing now, we unfortunately find ourselves grieving more for our military service members, than celebrating and honoring their service. Veterans Day gives us a chance to honor and thank all of these heroes.

On this Veterans Day, I would like to share the story of one such hero who touched many American lives—Commander Willie McCool. Commander McCool was killed earlier this year as he was piloting the *Columbia* Space Shuttle towards home. Recently, Commander McCool's family, Naval Academy classmates, and former cross-country and track teammates participated in a ceremony at the location where a memorial will be placed in his honor. The essence of what that memorial will stand for was captured perfectly in a recent Washington Post article by William Gildea, dated October 30, 2003.

On October 2, 1982, as captain of the Naval Academy's men's cross country squad, McCool led the midshipmen to a victory over Georgetown and Syracuse Universities, while setting a personal record for the 5-mile race of 24:27. On February 1, 2003, Commander McCool and the members of his crew perished when *Columbia* came apart over Texas, only 15 minutes from landing.

The location of the planned memorial for Commander McCool will be 15 minutes from the finish line on the day he set his best time. The spot was chosen to commemorate Commander McCool's life and acknowledge his contributions to the country, the Navy, and the Naval Academy's cross-country program, as well as to recognize the positive impact that being a Navy runner had on his life.

Before inviting his cross-country coach Al Cantello to the Space Shuttle *Columbia* launch, Commander McCool sent a portrait of himself to Cantello with the following inscription: "Your coaching laid a foundation of discipline, drive and passion that has carried me across the many milestones of my life. With boundless appreciation,

Willie." From that foundation, Commander McCool developed into a top-notch Naval Officer and served our country in an exemplary manner. On this Veterans Day, I humbly thank Commander McCool, and his family, for his selfless service and sacrifice for our country.

At this time, I ask unanimous consent that the October 30, 2003, Washington Post article regarding Commander Willie McCool be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 2, 2003]

THE PERFECT PLACE TO HONOR A HERO

(By William Gildea)

Sports doesn't have enough heroes, but Willie McCool is a hero. The captain of the 1982 cross-country team at the Naval Academy, he was known for smiling in the midst of a grueling race as the effort showed on the faces of the other runners. No matter the difficulty, he always was happy. That really was how he showed the way in whatever he did. As his coach, Al Cantello, said yesterday morning, "Everyone should meet a Willie McCool in his lifetime."

Cantello was driving out to the Academy cross-country course to join relatives, former teammates and other friends of McCool. They gathered on the crest of the hill at 8 a.m. to honor the man they loved. McCool said from space on Jan. 30: "From our orbital vantage point, we observe an earth without borders, full of peace, beauty and magnificence. And we pray that humanity as a whole can imagine a borderless world as we see it and strive to live as one in peace."

He was the pilot of the space shuttle *Columbia*, which broke up as it reentered the earth's atmosphere Feb. 1.

"Isn't this a great cross-country morning—crisp, perfect for running?" Mark Patterson, the 1983 team captain, said in welcoming the people who assembled quietly on the hill. There, they plan to have a memorial built in McCool's honor. It will not be something grandiose, they said, because that would not be representative of such a modest person as McCool; it would be simple, but it would be big enough for passing runners to notice, maybe to be inspired by, something to prompt a thought.

The son of a Navy aviator, William C. McCool finished second of 1,083 in the class of 1983. He went on for two master's degrees, one from Maryland. During that time, he often returned to the rolling course where he had worked out twice a day during cross-country and track seasons. McCool was one of many who thought of that five-mile route as a special place. And he was one of those who remained grateful to the man who put him on the course where he developed some of his leadership skills. Before inviting his coach to the *Columbia* launch, McCool sent a portrait of himself to Cantello with the inscription: "Your coaching laid a foundation of discipline, drive and passion that has carried me across the many milestones of my life. With boundless appreciation, Willie."

For the most part, the five-mile course follows the perimeter of the Academy's golf course, across the Severn from the campus. Jimmy Carter ran it as a midshipman. So have numerous Olympians, tens of thousands of college runners, countless others. But after Saturday, when McCool's widow, Lani, and his mother, Audrey, were presented flowers at the simple ceremony, the course seemed even more special. It felt like hallowed ground.

McCool was said to be an extraordinary test pilot. He did small things well, too. He liked to make people happy. Capt. Clyde Villemez, who was the naval officer representative for cross-country in the early '80s, remembered him tenderly escorting his 8-year-old daughter onto the dance floor at a wedding reception. Villemez retains a vivid image of the two. "She was dancing on top of his feet," he said.

Ronnie Harris, who ran the 5,000 meters for Navy, missing the 1996 U.S. Olympic team by just 25 hundredths of a second, had the idea for a memorial. He was serving in Florida when he heard of Columbia's fate. He did what many former Navy runners did as they thought of their friend. "I went for a run," he said.

Now he was back on his favorite course, standing close to where the marker will go. "This is a very beautiful spot. It's absolutely gorgeous," Audrey McCool said.

It is not just any spot. It was chosen for a reason.

The last radio communication from the Columbia was received about 15 minutes before the scheduled completion of the mission. The crew of seven was 15 minutes from home.

McCool's friends measured back 15 minutes from the finish line of the cross-country course based on McCool's fastest time, in a meet with Georgetown and Syracuse on Oct. 2, 1982. As it happened, they came to an idyllic setting, at the top of a grassy hill, on a brief level stretch before a slope leading to a narrow path through the trees.

That's where they will build the monument.

That's when he was 15 minutes from home.

#### TRIBUTE TO LTG GENERAL JOHN S. CALDWELL, JR.

Mr. SHELBY. Mr. President, I rise today in honor of LTG John S. Caldwell, Jr., Military Deputy to the Assistant Secretary of the Army for Acquisition, Logistics and Technology at the Pentagon. After 36 years of exemplary commitment and dedicated service to the United States Army, General Caldwell is retiring.

General Caldwell's career has been vast in the command and staff positions he has held. Beginning as a Platoon Leader at Fort Meade, MD, in 1967 until his current assignment at the Pentagon, he has been a steady and dedicated member of the United States Armed Forces.

A graduate of the United States Military Academy, West Point, NY, General Caldwell's career has been one of dedication, service, and sacrifice. Upon graduation, he was commissioned in the Armor/Cavalry. He has commanded armored cavalry units from platoon through battalion, had combat duty with the 11th Armored Cavalry Regiment in Vietnam, and served two tours in the Federal Republic of Germany.

He has held a variety of other assignments including: Deputy Chief of Staff for Research, Development and Acquisition, Headquarters, Army Materiel Command; Director, Army Digitization Office, Headquarters, Department of the Army; Assistant Deputy for System Management and International Cooperation, Office of the Assistant Secretary of the Army, Research, Development and Acquisition; Assistant Pro-

fessor for the Department of Engineering at USMA; Research and Development Coordinator, Office of the Project Manager, Abrams Tank Systems; Operations and Training Officer, S-3, for 2nd Squadron, 11th Armored Cavalry Regiment; Operations Staff Officer and Deputy Chief of Staff, Operations, Plans and Training for the Army Staff; Research and Development Staff Officer, Army Studies Group for the Office of the Chief of Staff, Army; Chief, Strategy Application Branch of the Strategic Plans and Policy Directorate, J-5, for the Joint Staff, and, Project Manager, Abrams Tank Systems.

General Caldwell is often sought after for his knowledge and insight into the critical issues facing our country today. He is a decorated soldier, having received the following decorations and badges: Distinguished Service Medal, with Oak Leaf Cluster, Silver Star, Defense Superior Service Medal, Legion of Merit, with 2 Oak Leaf Clusters, Bronze Star, Meritorious Service Medal, with Oak Leaf Cluster, Air Medal, Army Commendation Medal, with Oak Leaf Cluster, Army Achievement Medal, Ranger Tab, Joint Chiefs of Staff Identification Badge, and Army Staff Identification Badge.

On this Veterans Day, I celebrate and applaud the distinguished career of LTG John S. Caldwell. A courageous soldier, fearless leader, and patriot, General Caldwell is much deserving of a relaxing and enjoyable retirement. My best wishes go out to his wife, Judy, his family and friends in this time of celebration.

#### MEDIA CONSOLIDATION AND DIMINISHING INDEPENDENT CONTENT

Mr. WYDEN. Mr. President, in June of this year, the Federal Communications Commission issued a decision relaxing a number of important rules that limit consolidation in the media industry. In the months leading up to that decision, and ever since, a bipartisan group of Senators has sought to sound the alarm about the dangers of unbridled media concentration. Those efforts eventually led to Senate passage of a resolution to reverse the commission's decision. But the battle continues, and the outcome is uncertain.

Most of the debate on this subject has focused on the details of rules limiting the national reach of broadcasters and the local cross-ownership of television, newspaper, and radio stations. But I would like to call attention to another important dimension of media concentration: the demise of independent producers, who are being bought up or driven out of business by the big networks and big studios.

More and more, the television programming delivered to the homes of American families is controlled by a handful of executives in a handful of corporate boardrooms. Independent writers and producers are growing

scarce. Indeed, there soon may be only two remaining independent Hollywood studios that produce scripted television programming. The others have either disappeared or linked up with one of the major networks.

I think that having all programming produced by a few large media conglomerates could pose some real risks for creativity and diversity. That is why I would like to commend my colleague from Arizona, Commerce Committee Chairman JOHN MCCAIN, for his leadership in agreeing to cohost a dialogue with Chairman BILLY TAUZIN of the House Energy and Commerce Committee and representatives of studios, networks, writers, and producers.

I am confident that under the direction of Chairman MCCAIN, this dialogue can produce positive discussion and concrete results, such as voluntary guidelines to help ensure diversity, competition, and opportunity in the market for television programming. I look forward to participating.

#### WTO RULING ON STEEL TARIFFS

Mr. ALEXANDER. Mr. President, yesterday, the World Trade Organization upheld its earlier ruling that the steel tariffs imposed in March of last year are illegal and in violation of global trade rules. As a result of this ruling, the European Union threatened to impose trade sanctions on American imports sold in Europe, ranging from footwear to fruits and vegetables. The EU has said that it will impose duties of 13, 15, 30 percent on these imports as soon as December 6 or at the latest December 15, if the steel tariffs continue to remain in place. The EU trade sanctions alone would amount to about \$2.2 billion.

Unfortunately though, the EU is not alone. Japan has announced that it will join the EU in retaliatory trade sanctions against the U.S. China, Norway and Switzerland have also notified the WTO that they will possibly impose trade sanctions against the U.S. if the steel tariffs are not removed.

There is plenty of evidence that if the steel tariffs are allowed to continue they will do more harm than good. On September 19, the International Trade Commission released its report on the effects of the steel tariffs on steel consuming industries. Here is what they found.

One-half of the steel-consuming firms that were surveyed reported they had difficulty in obtaining steel in the qualities and quantities they needed.

Almost one-third of these firms relocated or shifted production to foreign plants or facilities after the implementation of the tariff.

One-quarter reported that their customers had shifted to purchasing finished parts or assemblies overseas as a result of the steel tariff.

Almost one-third of these firms also reported their contracts they had in place to purchase steel were broken or modified after the tariff was imposed

and reported a loss in profits due to these problems of approximately \$190 million.

One-third of these firms reported longer lead and delivery times.

In addition, the report further highlighted the particular impact the steel tariff has had on auto-parts suppliers. Tennessee is home to over 950 auto-parts suppliers and they make up about one-third of all our State's manufacturing jobs.

Eighty-five percent of the auto-parts suppliers surveyed said that their steel prices in the US were higher than global prices.

Thirty-one percent reported that customers had shifted purchases to buying finished parts or assemblies overseas as a result of the tariff.

Seventy-four percent reported changes in contract prices for steel and 55 percent reported that steel tariff was the only important factor in these changes in steel prices.

Seventy-nine percent reported an inability to pass on steel price increased to customers.

All of these burdens have meant extra costs to steel consuming firms. Extra costs that have affected steel-consuming jobs all across America. The steel tariff may have saved some steel-producing jobs but it has already destroyed a lot more steel-consuming jobs.

The American economy is beginning to recover and I strongly believe that this recovery is a direct result of the President's jobs and economic growth plan. The last thing we need now is any new cost such as the steel tariff on a major manufacturing sector that slows down economic growth. I fear that if the steel tariff remains that we will see more plant closings during 2004 in Tennessee and across America.

I believe the President has made an honest good faith effort to save steel jobs, but that it has backfired by destroying automotive and other steel consuming jobs. I hope that he decides that the best decision that can make for the American worker is to end the steel tariff.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

#### MONEY LAUNDERING IN SYRIA AND LEBANON

• Mr. KERRY. Mr. President, while I support the enactment of the Syria Accountability Act, I am disappointed this legislation does not contain any provisions to stop the scourge of money laundering from Syria and Lebanon.

Recently published reports state that \$3 billion from Saddam Hussein's Iraqi regime are currently being held in Syrian-controlled banks in Syria and Lebanon and that these funds may have been used to finance attacks on American forces in Iraq. If these allegations are proven correct, then the actions by the government of Syria are intolerable and unacceptable and demand a

strong response by the United States government to insure that funds stolen from the Iraqi people are not used to help insurgents attack American forces and destabilize Iraq.

Unfortunately, Syria and Lebanon have had a long history of being involved in terrorism and money laundering. The Secretary of State has designated Syria as a state whose government repeatedly provided support for acts of international terrorism and has provided designated foreign terrorist organizations, such as Hamas and Hizballah, with sanctuary. The State Department in its March 2003 International Narcotics Control Strategy Report—INCSR—has classified Syria as a country to be monitored for potential money laundering.

Lebanon remains one of the more sophisticated and well-capitalized banking sectors in the Middle East. With its tradition of bank secrecy, the extensive use of foreign currency, the influx of remittances from expatriated workers, and a lack of financial accountability and enforcement, Lebanon has developed a financial environment conducive to laundering the financial proceeds of international crimes such as narcotics, counterfeiting and smuggling. The International Narcotics Control Strategy Report—INCSR—has designated Lebanon as a jurisdiction of primary money laundering concern. The Financial Crime Enforcement Network—FinCEN—has conducted an analysis of the Suspicious Activity Reporting System—SAR—related to Lebanon for the period of January 2002 through October 2003. The FinCEN analysis has revealed 286 SARs that could be linked to transactions associated with suspicious or fraudulent wire transfer activities between Lebanon and other countries. Many of these transactions were structured in an attempt to avoid reporting requirements. Two of the reports indicate possible terrorist activities.

The United States has the largest and most accessible economic marketplace in the world. Foreign financial institutions and jurisdictions must have unfettered access to markets to effectively work within the international economic system.

In 2000, I introduced legislation that became Section 311 of the USA PATRIOT Act which provides the federal government with the authority to leverage the power of United States financial markets to force countries like Syria and Lebanon to reform and enforce their counter-money laundering and counter-terrorist financing laws. Section 311 provides the Secretary of the Treasury with measures that are graduated, discretionary, and targeted, focusing on international transactions involving criminal proceeds, while allowing legitimate international commerce to continue unimpeded.

Earlier this year, I sent a letter to President Bush asking him to direct the Secretary of the Treasury to identify both Syria and Lebanon as pri-

mary money laundering concerns under the authority provided in Section 311. I also asked that U.S. financial institutions be required to provide enhanced scrutiny of financial transactions from Syria and Lebanon to ensure funds linked to international terrorists do not originate from or pass through financial institutions in those countries on their way to the United States.

I also call on the President to develop an international strategy to stop the laundering of funds from Syria and Lebanon within the framework of the Financial Action Task Force—FATF, the European Union, the G-8, and other multilateral forums.

I strongly believe that the United States must take any and all necessary measures to stop international terrorist organizations—such as Hamas and Hizballah—and former members of the Iraqi government who may be residing in Syria, Lebanon, and other countries in the area from supporting terrorist activities in Iraq and elsewhere.

If the United States is to lead the world in the fight against terror, we must effectively use our own laws to cut off the flow of laundered funds from terrorist groups through the international financial system. The measured use of Section 311 authority against Syria and Lebanon provides the United States an opportunity to demonstrate leadership in the fight against international terrorism and money laundering. We cannot afford to fail in this endeavor.●

#### FUNDING FOR AIRPORT PROJECTS

Mr. WYDEN. Mr. President, maintaining and improving this country's airports and aviation infrastructure is crucial to economic growth and opportunity at both the local and national levels. That is why it is so unfortunate that Congress has not yet been able to pass the Federal Aviation Administration reauthorization legislation.

The fact is, this legislation need not have been controversial. But it was made controversial, because conferees went behind closed doors and made changes that contravene the clearly expressed will of both houses of Congress.

My point today is not to rehash the substantive arguments on the points under dispute. I simply want to stress that in no event should this dispute be allowed to bring important airport and aviation projects screeching to a halt. Instead, the responsible path is to recognize that the controversial elements of the legislation may take some time to resolve. In the meantime, both sides should agree to a short-term extension of FAA funding programs, so that no aviation project is held hostage to politics.

Senator ROCKEFELLER has introduced a bill to provide for a 6-month extension of FAA funding programs, and I am signing on as a cosponsor. I hope that our colleagues will join in supporting this legislation, to ensure that

funding for local airports projects will not become a victim of political brinksmanship.

### BUDGET SCOREKEEPING REPORT

Mr. NICKLES. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2004 budget through November 7, 2003. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2004 Concurrent Resolution on the Budget, H. Con. Res. 95, as adjusted.

The estimates show that current level spending is below the budget resolution by \$11.7 billion in budget authority and by \$13.1 billion in outlays in 2004. Current level for revenues is \$62 million below the budget resolution in 2004.

Since my last report, dated November 4, 2003, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues for 2004: Emergency Supplemental Appropriations

Act for Defense and for the Reconstruction of Iraq and Afghanistan, Public Law 108-106; and, An act making further continuing appropriations for Fiscal Year 2004, Public Law 108-107. In addition the Congress has cleared for the President's signature the following acts: Interior Appropriations Act, 2004, H.R. 2691; an act to reauthorize certain school lunch and child nutrition programs, H.R. 3232; and, Military Family Tax Relief Act of 2003, H.R. 3365.

I ask unanimous consent to print the following related information in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, November 10, 2003.

Hon. DON NICKLES,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached tables show the effects of Congressional action on the 2004 budget and are current through November 7, 2003. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, as adjusted.

Since my last letter dated November 3, 2003, the Congress has cleared and the President has signed the following acts which changed budget authority, outlays, and revenues for 2004:

Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan (P.L. 108-116); and

An act making further continuing appropriations for Fiscal Year 2004 (P.L. 108-107).

In addition the Congress has cleared for the President's signature the following acts:

Interior Appropriations Act, 2004 (H.R. 2691);

An act to reauthorize certain school lunch and child nutrition programs (H.R. 3232); and  
Military Family Tax Relief Act of 2003 (H.R. 3365).

The effects of these actions are detailed on Table 2.

Sincerely,

DOUGLAS HOLTZ-EAKIN,  
Director.

Attachments.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF NOVEMBER 7, 2003

[In billions of dollars]

	Budget resolution	Current level <sup>1</sup>	Current level over/under (-) resolution
<b>ON-BUDGET</b>			
Budget Authority .....	1,873.5	1,861.7	-11.7
Outlays .....	1,897.0	1,883.9	-13.1
Revenues .....	1,331.0	1,330.9	-0.1
<b>OFF-BUDGET</b>			
Social Security Outlays .....	380.4	380.4	0
Social Security Revenues .....	557.8	557.8	0

<sup>1</sup> Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF NOVEMBER 7, 2003

[In millions of dollars]

	Budget authority	Outlays	Revenues
<b>Enacted in previous sessions:</b>			
Revenues .....	n.a.	n.a.	1,466,370
Permanents and other spending legislation <sup>1</sup> .....	1,081,649	1,054,550	n.a.
Appropriation legislation .....	0	345,754	n.a.
Offsetting receipts .....	-366,436	-366,436	n.a.
Total, enacted in previous sessions .....	715,213	1,033,868	1,466,370
<b>Enacted this session:</b>			
<b>Authorizing Legislation:</b>			
American 5-Cent Coin Design Continuity Act of 2003 (P.L. 108-15) .....	-1	-1	0
Postal Civil Service Retirement System Funding Reform Act of 2003 (P.L. 108-18) .....	2,746	2,746	0
Clean Diamond Trade Act (P.L. 108-19) .....	0	0	*
Prosecutorial Remedies and Other Tools to End Exploitation of Children Today Act (P.L. 108-21) .....	0	0	*
Unemployment Compensation Amendments of 2003 (P.L. 108-26) .....	4,730	4,730	145
Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27) .....	13,312	13,312	-135,370
Veterans' Memorial Preservation and Recognition Act of 2003 (P.L. 108-29) .....	0	0	*
Welfare Reform Extension Act of 2003 (P.L. 108-40) .....	99	108	0
Burmese Freedom and Democracy Act (P.L. 108-61) .....	0	0	-10
Smithsonian Facilities Authorization Act (P.L. 108-72) .....	1	1	0
Family Farmer Bankruptcy Relief Act of 2003 (P.L. 108-73) .....	0	0	*
An act to amend Title XXII of the Social Security Act (P.L. 108-74) .....	1,325	100	0
Chile Free Trade Agreement Implementation Act (P.L. 108-77) .....	0	0	-5
Singapore Free Trade Agreement Implementation Act (P.L. 108-78) .....	0	0	-55
First Continuing Resolution, 2004 (P.L. 108-84) .....	-2,222	1	-2
Surface Transportation Extension Act of 2003 (P.L. 108-88) .....	6,405	0	0
An act to extend the Temporary Assistance for Needy Families block grant program (P.L. 108-89) .....	15	-36	33
An act to amend chapter 84 of title 5 of the United States Code (P.L. 108-92) .....	1	1	0
An act to amend the Immigration and Nationality Act (P.L. 108-99) .....	0	0	2
The Check Clearing Act for the 21st Century (P.L. 108-100) .....	0	0	*
An act to amend Title 44 of the United States Code (P.L. 108-102) .....	0	0	*
Second Continuing Resolution, 2004 (P.L. 108-104) .....	1	0	*
Partial-Birth Abortion Act of 2003 (P.L. 108-105) .....	0	0	*
Third Continuing Resolution, 2004 (P.L. 108-107) .....	0	0	-1
Total, authorizing legislation .....	26,412	20,962	-135,263
<b>Appropriations Acts:</b>			
Emergency Wartime Supplemental Appropriations Act, 2003 (P.L. 108-11) .....	215	27,349	0
Legislative Branch Appropriations (P.L. 108-83) .....	3,539	3,068	0
Defense Appropriations (P.L. 108-87) .....	368,694	251,486	0
Homeland Security Appropriations (P.L. 108-90) .....	30,216	18,192	0
Emergency Supplemental Appropriations Act for Defense and Reconstruction of Iraq and Afghanistan (P.L. 108-106) .....	3,555	1,133	0
Total, appropriation acts .....	406,219	301,226	0
<b>Passed Pending Signature:</b>			
Interior Appropriations Act, 2004 (H.R. 2691) .....	19,673	13,202	0
An act to reauthorize certain school lunch and child nutrition programs (H.R. 3232) .....	7	7	0
An act to amend Title XXII of the Social Security Act (H.R. 3288) .....	0	9	0
Military Family Tax Relief Act of 2003 (H.R. 3365) .....	-595	-595	-169



TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF NOVEMBER 7, 2003—

Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Total, passed pending signature .....	19,085	12,623	— 169
Continuing Resolution Authority: Continuing Resolution, 2004 (P.L. 108–107) .....	336,417	177,141	0
Entitlements and mandates: Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	358,395	338,102	n.a.
Total Current Level <sup>1,2</sup> .....	1,861,741	1,883,922	1,330,938
Total Budget Resolution .....	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution .....	n.a.	n.a.	n.a.
Current Level Under Budget Resolution .....	11,718	13,051	62

<sup>1</sup> Per section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes the following items: outlays of \$262 million from funds provided in the Emergency Supplemental Appropriations for Disaster Relief Act of 2003 (P.L. 108–69); outlays of \$456 million from funds provided in the Legislative Branch Appropriations Act, 2004 (P.L. 108–83); budget authority of \$400 million and outlays of \$67 million provided in the Interior Appropriations Act, 2004 (H.R. 2691); and budget authority of \$83,992 million and outlays of \$35,970 million provided in the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (P.L. 108–106).

<sup>2</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget.

Notes.—n.a. = not applicable; P.L. = Public Law; \* = less than \$500,000.

Source: Congressional Budget Office.

## FAREWELL TO IRV KUPCINET

Mr. DURBIN. Mr. President, today the city of Chicago, IL, is marking the passing of a legend. Just yesterday, Chicago, and the rest of the Nation as well, lost a giant—the famous Chicago Sun Times columnist Irv Kupcinet who died at age 91.

In the city of Chicago, there are few landmarks anyone thinks of, but one of the great landmarks was Irv Kupcinet. He was a columnist not only known across Chicago but across the Nation.

A native Chicagoan, Kup, as he was known to millions, said that even as a child he knew someday he would be in the newspaper business. But it wasn't until a shoulder injury ended his first National Football League season with the Philadelphia Eagles in 1935 that he turned to journalism, becoming a sports writer for the now defunct Chicago Times.

In 1948 that paper merged with a cross-town rival to create the Sun-Times, the newspaper which Kup called home for the remaining 55 years of his life. And as any reader of his columns can attest, right up until the end, Irv Kupcinet still wrote with passion and wit about the subjects on which he built his career—famous people and his native Chicago.

Over the years, Kup's column was distributed to more than 100 newspapers around the world and its author showered with innumerable awards. In 1982, he was elected to Chicago's Journalism Hall of Fame. The city of Chicago renamed the Wabash Avenue bridge over the Chicago River in his honor in 1986.

In 1959, Kup became the host for the syndicated television show, "At Random," where he interviewed personalities ranging from Nobel Prize winners and politicians to starlets and oddballs. Kupcinet estimated he interviewed about 6,500 guests on the show, which aired every Saturday night for 27 years, including former Presidents Richard M. Nixon, Gerald Ford and Jimmy Carter, and other newsmakers such as Lenny Bruce, Senator Robert Kennedy, Yul Brynner and Malcolm X. The show won a Peabody Award for excellence in broadcasting and more than a dozen Emmys.

His other accomplishments were enough to fill several careers. He con-

tinued his relationship with football by officiating for the NFL. He broadcast Chicago Bears football games on radio, with Jack Brickhouse, for 24 years. He appeared in two movies by Otto Preminger, "Advise and Consent" and "Anatomy of a Murder."

But it was his power as a writer and his integrity as a person that set Irv Kupcinet apart. Kup did not dish the dirt that other celebrity columnists thrived on. Instead, he often took on subjects not typically covered by his counterparts; topics such as race relations and veterans' issues. He was also a tireless worker for charities—raising funds and lending his name to a host of charitable causes.

In 1939, Kup married the love of his life, a feisty redheaded Northwestern University student named Esther "Essee" Solomon. The couple had two children, Jerry and Karyn, who was known as "Cookie." Cookie was an aspiring actress and moved to Hollywood, where she died at the age of 22. Her murder was never solved, and Kup grieved the loss of his daughter for the rest of his life. His beloved Essee died just two years ago in 2001.

Today we woke up to a world without Irv Kupcinet, and we are all somewhat poorer by that loss. But a little part of Kup will always be with us. And his example is one worth noting.

If an aspiring columnist were to ask my advise on reaching the highest levels of that profession, I would offer the following advice: study the life of Irv Kupcinet. Try to capture his passion, his courage, his style. And never forget those things that came across in every column he wrote—a love of story, a love of language, and a genuine love of people.

Thank you Kup. We will miss you.

I close by saying a few months ago, Kup, who was then in a wheelchair, asked me if I would join him at his legendary luncheon he had every Saturday at the Drake Hotel. I went to that luncheon. There were about 12 gathered there—friends of Kup for a lifetime. I was the youngest at the table by at least 20 years.

I listened as they regaled me with stories of America and Chicago, of sports, of horse racing, entertainment—everything that had made Kup's life. It was a great lunch, and I will never forget it.

America is never going to forget Irv Kupcinet. The real question we now face in Chicago is whether we can get up in the morning and face a day without Kup's column. By standing fast to his memory, standing fast to his values, I think we will be able to weather this storm and still maintain a warm spot in our heart for the late Irv Kupcinet.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

## ADDITIONAL STATEMENTS

### CONGRATULATING CHARLYE O. FARRIS

• Mrs. HUTCHISON. Mr. President, Charlye O. Farris was licensed to practice law by the State of Texas on November 12, 1953.

She was the first African American woman licensed to practice law in Texas.

On July 7, 1954, when Charlye O. Farris became a special county judge in Wichita County, TX, she became the first African American to serve in the South as a judge in any capacity since Reconstruction.

Charlye O. Farris is a native of Wichita Falls, TX, and a graduate of Booker T. Washington High School and Prairie View A&M College. She earned her Bachelor of Laws degree from Howard University in May, 1953, and has overcome significant and numerous barriers in order to practice law. She is the recipient of the Gertrude E. Rush Award of the National Bar Association for her service and achievements as an African American lawyer.

Charlye O. Farris received the Margaret Brent Women Lawyers of Achievement Award from the Commission on Women in the Profession of the American Bar Association, which recognizes women who have excelled in the legal profession and helped pave the way for other women entering the field. Her accomplishments as a woman, African American, lawyer, and community leader have made her a role model for countless Texans. Senator JOHN CORNYN and I congratulate

Charlye O. Farris on the occasion of her 50th anniversary as a lawyer practicing in Texas. •

#### DR. JERALD TUNHEIM RETIRES FROM DAKOTA STATE UNIVERSITY

• Mr. JOHNSON. Mr. President, I rise today to recognize and honor Dr. Jerald Tunheim on the occasion of his retirement as the president of Dakota State University in Madison, SD.

After receiving both his Bachelor of Science degree in Engineering Physics and Master of Science in Physics from South Dakota State University in Brookings, South Dakota, Dr. Tunheim briefly moved to Stillwater, OK, where he received his Ph.D. in Physics from Oklahoma State University. He began his South Dakota teaching career at his alma mater in 1968 as an assistant professor of physics before becoming professor and Head of the Physics Department in 1980.

Dr. Tunheim has earned the respect and admiration of all those who had the opportunity to work with him. His friendly demeanor and wealth of knowledge helped him develop close friendships with various colleagues and students while establishing the legacy of Dakota State University in South Dakota. Dr. Tunheim joined Dakota State University three years after the South Dakota legislature changed Dakota State University's mission to focus on computer and information systems technology as academic disciplines. In his term as President, there has been a 236 percent increase in enrollment and the number of computer majors has soared from 109 in 1985 to over 1,000 today.

In his Letter from the President, Dr. Tunheim is proud to announce that, "with a proud heritage as its foundation, Dakota State has evolved to meet the needs of today's students with its innovative approach to education and a faculty with diverse backgrounds and experiences. Dakota State offers its students the best opportunities to learn and grow to meet the demands of their future." Over the years, Dr. Tunheim has committed himself to helping Dakota State University students learn more about themselves and the world around them as he has worked hard to help students find the best in themselves. Thousands of students over the years have benefited from Dr. Tunheim's commitment to higher educational excellence.

On the occasion of his retirement, I congratulate Dr. Tunheim for his tireless dedication to Dakota State University and his commitment to quality education. Dr. Tunheim has been recognized many times over for his extraordinary career including being named Teacher of the Year twice while at South Dakota State University. He was also chosen as one of the "100 Influential South Dakotans for 1994" is listed in journals such as *American Men and Women of Science*, *Who's Who*

in America, *Who's Who in American Education*, and *Oxford Who's Who*. In addition to the hours he puts in as President of Dakota State University, Dr. Tunheim has spent his time on the Madison Area Chamber of Commerce Education Committee, Madison Area Chamber of Commerce Board of Directors, Council of Presidents and Superintendents of South Dakota System of Higher Education, Governor's Task Force on Vocational-Technical Education, and the National Association of Intercollegiate Athletics Council of Presidents, among many others.

The lives of countless people have been enormously enhanced by Dr. Tunheim's talent and leadership as President at Dakota State University. The State of South Dakota is a better place because of his commitment to and passion for higher education excellence and his achievements should serve as a model for other talented educators throughout our state to emulate.

I wish Dr. Jerald Tunheim the very best on his retirement. •

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LUGAR, from the Committee on Foreign Relations, without amendment:

S. 1824. A bill to amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, and for other purposes (Rept. No. 108-194).

By Mr. LUGAR, from the Committee on Foreign Relations, with an amendment:

S. 950. A bill to allow travel between the United States and Cuba.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER:

S. 1845. A bill to amend title 37, United States Code, to provide financial assistance to State and local governments that continue to pay employees who serve on active duty in a reserve component of the uniformed services; to the Committee on Armed Services.

By Ms. SNOWE:

S. 1846. A bill to amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with hepatitis C, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORZINE:

S. 1847. A bill to amend title 38, United States Code, to establish a comprehensive program for testing and treatment of veterans for Hepatitis C virus; to the Committee on Veterans' Affairs.

By Mr. WYDEN (for himself and Mr. SMITH):

S. 1848. A bill to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the, Bend Pine Nursery Administration Site in the State of Oregon; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 1849. A bill to amend section 203 of the National Housing Act to provide for 1 per-

cent downpayments for FHA mortgage loans for teachers and public safety officers to buy homes within the jurisdictions of their employing agencies; to the Committee on Banking, Housing, and Urban Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself, Mr. DASCHLE, Mr. SPECTER, Mr. GRAHAM of Florida, Mr. BINGAMAN, and Mr. DORGAN):

S. Res. 264. A resolution expressing the sense of the Senate regarding Veterans Day 2003; considered and agreed to.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. Res. 265. A resolution recognizing and honoring the firefighters and other public servants who responded to the devastating outbreak of wildfires in southern California in October 2003; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 59

At the request of Mr. INOUE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 59, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 198

At the request of Mr. SMITH, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 198, a bill to amend the Internal Revenue Code of 1986 to allow an income tax credit for the provision of homeownership and community development, and for other purposes.

S. 337

At the request of Mr. NELSON of Florida, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 337, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Solid Waste Disposal Act to prohibit the use of arsenic-treated lumber as mulch, compost, or a soil amendment, and to prohibit the manufacture of arsenic-treated wood for use as playground equipment for children, fences, walkways, or decks or for other residential or occupational purposes, and for other purposes.

S. 448

At the request of Mr. DODD, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 448, a bill to leave no child behind.

S. 473

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey

(Mr. CORZINE) was added as a cosponsor of S. 473, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

S. 971

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 971, a bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes.

S. 983

At the request of Mr. CHAFEE, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 983, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 1224

At the request of Mr. CORZINE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1224, a bill to expand the powers of the Attorney General to regulate the manufacture, distribution, and sale of firearms and ammunition, and to expand the jurisdiction of the Attorney General to include firearm products and nonpowder firearms.

S. 1266

At the request of Mrs. CLINTON, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAU), the Senator from West Virginia (Mr. BYRD), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Rhode Island (Mr. CHAFEE), the Senator from North Dakota (Mr. CONRAD), the Senator from South Dakota (Mr. DASCHLE), the Senator from Connecticut (Mr. DODD), the Senator from North Carolina (Mrs. DOLE), the Senator from North Dakota (Mr. DORGAN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from California (Mrs. FEINSTEIN), the Senator from Florida (Mr. GRAHAM), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Hawaii (Mr. INOUE), the Senator from Vermont (Mr. JEFFORDS), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Vermont (Mr. LEAHY), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Mississippi (Mr. LOTT), the Senator

from Kentucky (Mr. MCCONNELL), the Senator from Maryland (Ms. MIKULSKI), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), the Senator from Nebraska (Mr. NELSON), the Senator from Oklahoma (Mr. NICKLES), the Senator from Rhode Island (Mr. REED), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mr. SCHUMER), the Senator from Maine (Ms. SNOWE), the Senator from Virginia (Mr. WARNER) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1266, a bill to award a congressional gold medal to Dr. Dorothy Height, in recognition of her many contributions to the Nation.

S. 1379

At the request of Mr. JOHNSON, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1379, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 1483

At the request of Mr. DODD, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1483, a bill to amend the Head Start Act to reauthorize that Act, and for other purposes.

S. 1545

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 1545, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents.

S. 1653

At the request of Mr. INOUE, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1653, a bill to ensure that recreational benefits are given the same priority as hurricane and storm damage reduction benefits and environmental restoration benefits.

S. 1709

At the request of Mr. CRAIG, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1709, a bill to amend the USA PATRIOT ACT to place reasonable limitations on the use of surveillance and the issuance of search warrants, and for other purposes.

S. 1744

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1744, a bill to prevent abuse of Government credit cards.

S. 1828

At the request of Mr. KYL, the name of the Senator from Virginia (Mr.

ALLEN) was added as a cosponsor of S. 1828, a bill to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, and for other purposes.

S. RES. 253

At the request of Mr. NELSON of Florida, the names of the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from Delaware (Mr. CARPER), the Senator from Illinois (Mr. DURBIN), the Senator from North Carolina (Mr. EDWARDS), the Senator from California (Mrs. FEINSTEIN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Arkansas (Mr. PRYOR), the Senator from New York (Mr. SCHUMER) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 253, a resolution to recognize the evolution and importance of motor sports.

AMENDMENT NO. 2057

At the request of Mr. LUGAR, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of amendment No. 2057 intended to be proposed to S. 1585, an original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER:

S. 1845. A bill to amend title 37, United States Code, to provide financial assistance to State and local governments that continue to pay employees who serve on active duty in a reserve component of the uniformed services; to the Committee on Armed Services.

Mrs. BOXER. Mr. President, today is Veterans Day—a day to honor the service of those brave men and women who have fought for and defended our country.

This Veterans Day has special meaning as 130,000 Americans are serving in Iraq, and many in this country have lost loved ones in Iraq in the past year.

Americans can be proud of the soldiers, sailors, airmen, and marines who are serving today. They are continuing to show the courage, dignity, and bravery with which our veterans, who we honor today, have served in the past.

That rich tradition includes those Americans who serve in the Guard and Reserves. In the 12 years since the first war in Iraq, more than 525,000 members of the Guard and Reserves have been mobilized—more than twice the number that were mobilized in the previous 36 years.

When they are called up to active duty, they leave their civilian jobs—and their civilian salaries—behind. Most take a pay cut—and are glad to do so to serve our country. But when that active duty service becomes an extended tour of duty, the financial strain on the families left behind can be enormous.

To close this pay gap, some State and local governments make up the difference between military and civilian pay for their employees who have been activated. Unfortunately, with strains on State and local budgets across the country—as well as the increased demand for more police and firefighters to help fight terrorism and enhance our homeland security—such payments to our Guards and Reservists are a financially difficult option—or not an option at all—for most State and local governments.

That is why I am today introducing the Service to the Country Reimbursement Act. Under my bill, the Federal Government would reimburse State and local governments for the costs of paying the difference between the civilian salary and the military pay of a Guard or Reserves member who is activated for more than 30 days.

This legislation will encourage State and local governments to make those payments in order to keep the families financially whole, ensuring that the families of those who serve our country in the Guards and Reserves will not be financially penalized because of the service being made to our country.

I encourage my colleagues to join me in this effort. And I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1845

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Service to Country Reimbursement Act of 2003”.

#### SEC. 2. ASSISTANCE FOR STATE AND LOCAL GOVERNMENTS THAT CONTINUE TO PAY EMPLOYEES WHO SERVE ON ACTIVE DUTY IN A RESERVE COMPONENT OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Chapter 17 of title 37, United States Code, is amended by adding at the end the following new section:

##### “§ 910. Assistance for State and local governments that continue to pay employees who serve on active duty

“(a) CONTINUATION OF CIVILIAN BASIC PAY.—It is the purpose of this section to encourage States and local governments to continue to pay a portion of the civilian compensation of those employees who are also members of a reserve component and are absent from a position of employment with the State or local government under a call or order to serve on active duty for a period of more than 30 days so that the employees receive compensation in an amount that, when taken together with their military pay, is at least equal to their civilian compensation.

“(b) REIMBURSEMENT OFFERED.—At the request of a State or local government that continues to pay all or a portion of the civil-

ian compensation of an employee described in subsection (a), the Secretary concerned shall reimburse the State or local government for the civilian compensation paid by the State or local government for each pay period described in subsection (c), but not to exceed the difference (if any) between—

“(1) the amount of civilian compensation that would otherwise have been payable to the employee for such pay period if the employee's civilian employment with the State or local government had not been interrupted by the service on active duty; and

“(2) the amount of military pay that is payable to the employee for the service on active duty and is allocable to such pay period.

“(c) PAY PERIODS.—Reimbursement shall be provided under this section with respect to each pay period (which would otherwise apply if the employee's civilian employment had not been interrupted) that occurs—

“(1) while the employee serves on active duty for a period of more than 30 days;

“(2) while the employee is hospitalized for, or convalescing from, an illness or injury incurred in, or aggravated during, the performance of such active duty; or

“(3) during the 14-day period beginning at the end of such active duty or the end of the period referred to in paragraph (2).

“(d) EFFECT OF FAILURE TO RETURN TO EMPLOYMENT.—(1) If an employee described in subsection (a), with respect to whom reimbursement is provided to a State or local government under this section, fails to report or apply for employment or reemployment with the State or local government by the end of the period referred to in subsection (c)(3), the employee shall refund to the Secretary concerned the total amount of the reimbursement provided with respect to the employee.

“(2) Subject to paragraph (3), an obligation to refund moneys to the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

“(3)(A) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

“(B) The Secretary concerned shall waive a refund required under paragraph (1) if the Secretary concerned determines that the failure of the employee in question to report or apply for employment or reemployment was due to an injury or disability of the employee that is not the fault of the employee.

“(4) A discharge in bankruptcy under title 11 that is entered less than five years after the end of the period referred to in subsection (c)(3) does not discharge the employee from a debt arising under paragraph (1). This paragraph applies to any case commenced under title 11 after the date of the enactment of this section.

“(e) REGULATIONS.—The Secretaries concerned shall prescribe regulations to carry out this section.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘civilian compensation’ means the wages or salary that an employee of a State or local government normally receives from the employee's employment by the State or local government.

“(2) The term ‘local government’ means an agency or political subdivision of a State.

“(3) The term ‘military pay’ has the meaning given the term ‘pay’ in section 101(21) of this title.

“(4) The term ‘State’ means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and other territories or possessions of the United States.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of title 37, United States Code, is amended by inserting after the item relating to section 909 the following new item:

“910. Assistance for State and local governments that continue to pay employees who serve on active duty.”.

(c) APPLICATION OF AMENDMENT.—Section 910 of title 37, United States Code, as added by subsection (a), shall apply with respect to pay periods (as described in subsection (b) of such section) beginning on or after the date of the enactment of this Act.

By Ms. SNOWE:

S. 1846. A bill to amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with hepatitis C, and for the other purposes; to the Committee on Veterans' Affairs.

Ms. SNOWE. Mr. President, I rise today to reintroduce legislation I first introduced in the 105th Congress to address a serious health concern for veterans—specifically, the health threat posed by the Hepatitis C virus.

This legislation, the Veterans Hepatitis C Treatment bill, establishes a presumption of service connection for veterans with hepatitis C, provided that certain conditions are met. This bill will enable veterans who contracted Hepatitis C in military service to receive treatment for this condition by the Department of Veterans Affairs.

Under this legislation, veterans who received a transfusion of blood during a period of service before December 31, 1992; veterans who were exposed to blood during a period of service; veterans who underwent hemodialysis during a period of service; veterans diagnosed with unexplained liver disease during a period of service; or veterans working in a health care occupation during service, will be eligible for treatment for Hepatitis C at VA facilities.

I have reviewed medical research that suggests many veterans were exposed to Hepatitis C in service, and are now suffering from liver disease and other diseases caused by exposure to this virus. I am troubled that many “Hepatitis C veterans” are not being treated by the VA because they can't prove the virus was service connected, despite the fact that Hepatitis was not isolated until 1989 and could not be tested for until 1990.

Hepatitis C is a hidden infection with few symptoms. However, most of those infected with the virus will develop serious liver disease 10 to 30 years after contracting the virus. For many of those infected, Hepatitis C can lead to liver failure, transplants, liver cancer and death.

And yet, most people who have Hepatitis C don't even know it—and so they don't get treatment until it's too late. It has been estimated that up to 70 percent of the approximately four million Americans with Hepatitis C are unaware that they carry the virus. For those who know they're infected, the

prognosis is promising—some estimates indicate that 50 percent may have the virus eradicated.

Vietnam veterans in particular are just now starting to learn that they have liver disease likely caused by Hepatitis C. Early detection and treatment may help head off serious liver disease for many of them. However, many veterans with Hepatitis C will not be treated by the VA because they must first establish a service connection for their condition—a standard that is virtually impossible to meet.

My colleagues may be interested to know how veterans were likely exposed to this virus. Medical advances during the Vietnam War included rapid evacuation, improved transfusion and high rates of U.S. casualty survival in an era prior to Hepatitis C screening of the blood supply. Blood transfusion is one of the most common ways Hepatitis C is transmitted. Medical transmission of the virus through needles and other medical equipment is also possible in combat. Medical care providers who served in combat, where universal precautions and rubber glove use are often absent, were likely at increased risk as well, and may have, in turn, posed a risk to the service members they treated.

Researchers have discovered that some blood sent from the U.S. was infected with the virus. Researchers and veterans organizations, including the Vietnam Veterans of America, believe that many veterans were infected after being injured in combat and getting a transfusion or from working as a medic around combat injuries.

Yet, veterans cannot establish a service connection because frequently there were no symptoms when they were originally infected while in Vietnam. In addition, while medical records may show a short bout of Hepatitis, Hepatitis C was not known at the time and there was not a test available to detect the virus.

The Hepatitis C infected veteran is essentially in a catch-22 situation: the VA will not provide treatment unless a service connection has been established, but the veterans cannot prove that they contracted Hepatitis C in combat because the science to detect the virus didn't exist. Without legislative authority to treat these veterans, thousands of veterans infected with Hepatitis C while in the service will not receive VA health care testing or treatment.

I believe that in the long run we will actually save money by testing and treating this infection early on. The alternative is much more costly treatment of end-state liver disease and the associated complications, or other disorders.

Former Surgeon General C. Everett Koop, well respected both within and outside of the medical profession, has said: "In some studies of veterans entering the Department of Veterans Affairs health facilities, half of the veterans have tested positive for [the Hep-

atitis C virus]. Some of those veterans may have left the military with the [Hepatitis C virus], while others may have developed it after their military service. In any event, we need to detect and treat [Hepatitis C] if we are to head off very high rates of liver disease and liver transplant in VA facilities over the next decade."

Some may argue that further epidemiologic data is needed to resolve the issue of service connection. I agree that we have our work cut out for us, and further study should be done. However, there is already a substantial body of research which has firmly established that veterans have a higher incidence of Hepatitis C when compared to non-veterans. We should not ask those who have already sacrificed so much for this country to wait—perhaps for years—for the treatment they deserve while further research is being conducted.

Today is Veteran's Day and we will all take time to honor the sacrifices that these brave men and women have made to defend the freedom of this country and ensure others could live in peace. These veterans shouldn't be asked to fight another battle for the benefits and respect that they have earned.

I hope this legislation will be a constructive step in addressing the health concerns of this Nation's veterans, and I look forward to working with the Veterans Affairs Committee, the VA-HUD appropriators, and veterans groups to meet this emerging challenge.

By Mr. CORZINE:

S. 1847. A bill to amend title 38, United States Code, to establish a comprehensive program for testing and treatment of veterans for Hepatitis C virus; to the Committee on Veterans' Affairs.

Mr. CORZINE. Mr. President, I rise today on Veterans Day to introduce the Veterans Comprehensive Hepatitis C Health Care Act. This bill would fundamentally change the way the Department of Veterans Affairs is addressing the growing Hepatitis C epidemic, and would create a national standard for testing and treating veterans with the virus.

Hepatitis C is a disease of the liver caused by contact with the Hepatitis C virus. It is primarily spread by contact with infected blood. The CDC estimates that 1.8 percent of the population is infected with the Hepatitis C virus, and that number is much higher among veterans. Vietnam-era veterans are considered to be at greater risk because many were exposed to Hepatitis C-infected blood as a result of combat-related surgical care during the Vietnam War. In fact, data from the Veterans Administration suggests that as many as 18 percent of all veterans and 64 percent of Vietnam veterans are infected with the Hepatitis C Virus (HCV). For many of those infected, Hepatitis C can lead to liver failure, transplants, liver cancer, and death.

And yet, most veterans who have Hepatitis C don't even know it—and often do not get treatment until it's too late. Despite recent advances in treating Hepatitis C, the VA still lacks a comprehensive, consistent, uniform approach to testing and treating veterans for the virus. Only a fraction of the 3.5 million veterans enrolled nationally with the VA Health Care System have been tested to date. Part of the problem stems from a lack of qualified, full-time medical personnel to administer and analyze the tests. Most of the 172 VA hospitals in this country have only one doctor, working a half day a week, to conduct and analyze all the tests. At this rate, it will take years to test the entire enrolled population—years that many of these veterans may not have.

To address this growing problem, I am introducing the Veterans Comprehensive Hepatitis C Health Care Act. This legislation will improve access to Hepatitis C testing and treatment for all veterans, ensure that the VA spends all allocated Hepatitis C funds on testing and treatment, and sets new, national policies for Hepatitis C care. Congressman Rodney Frelinghuysen from New Jersey has introduced companion legislation in the House of Representatives.

The bill would improve testing and treatment for veterans by requiring annual screening tests for Vietnam-era veterans enrolled in the VA system, and providing annual tests, upon request, to other veterans enrolled in the VA system. Further, it would require the VA to treat any enrolled veteran who tests positive for the Hepatitis C virus, regardless of service-connected disability status or priority group categorization. The VA would be required to provide at least one dedicated health care professional—a doctor and a nurse—at each VA Hospital for testing and treatment of this disease.

This bill would also increase the amount of money dedicated to Hepatitis C testing and treatment, and would make sure these funds are spent where they are needed most. Beginning in FY04, Hepatitis C funding would be shifted to the Specific Purpose account under the Veterans Health Administration, and would be dedicated solely for the purpose of paying for the costs associated with treating veterans with the Hepatitis C virus. The bill would allocate these funds to the 22 Veterans Integrated Service Networks (VISN) based on each VISN's Hepatitis C incidence rate, or the number of veterans infected with the virus.

In addition, this bill will end the confusing patchwork of policies governing the care of veterans with Hepatitis C throughout the nation. This legislation directs the VA to develop and implement a standardized, national Hepatitis C policy for its testing protocol, treatment options and education and notification efforts. The bill further directs the VA to develop an outreach program to notify veterans who have

not been tested for the Hepatitis C virus of the need for such testing and the availability of such testing through the VA. And finally, this legislation would establish Hepatitis C Centers of Excellence in geographic areas with high incidence of Hepatitis C infection.

As I've said, many veterans do not even realize that they may be infected with the Hepatitis C virus, and the VA is doing little to encourage them to get the critical testing they need. The VA currently lacks a comprehensive national strategy for combating this deadly disease. With the passage of the Veterans Comprehensive Hepatitis C Health Care Act, veterans will finally be provided with the access to testing and treatment that they have more than earned and deserve. Additionally, the Federal Government will actually save money in the long run by testing and treating this infection early on. The alternative is much more costly treatment of end-stage liver disease and the associated complications, or other disorders.

The VA has known about the problem of Hepatitis C among veterans since 1992, but they have not acted. We must address this critical issue for the brave men and women who have placed their lives in danger to protect the United States. I urge my colleagues to join me in supporting this crucial legislation.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1847

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Comprehensive Hepatitis C Health Care Act".

#### SEC. 2. COMPREHENSIVE HEPATITIS C HEALTH CARE TESTING AND TREATMENT PROGRAM FOR VETERANS.

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1720E the following new section:

##### "§ 1720F. Hepatitis C testing and treatment

"(a) INITIAL TESTING.—(1) During the one-year period beginning on the date of the enactment of the Veterans Comprehensive Hepatitis C Health Care Act, the Secretary shall provide a blood test for the Hepatitis C virus to—

"(A) each veteran who served in the active military, naval, or air service during the Vietnam era or who is considered to be 'at risk,' and is enrolled to receive care under section 1710 of this title who requests the test or is otherwise receiving a physical examination or any care or treatment from the Secretary; and

"(B) to any other veteran who requests the test.

"(2) After the end of the period referred to in paragraph (1), the Secretary shall provide a blood test for the Hepatitis C virus to any veteran who requests the test.

"(b) FOLLOWUP TESTING AND TREATMENT.—In the case of any veteran who tests positive for the Hepatitis C virus, the Secretary—

"(1) shall provide such followup tests as are considered medically appropriate; and

"(2) shall provide appropriate treatment for that veteran in accordance with the national protocol for the treatment of Hepatitis C.

"(c) STATUS OF CARE.—(1) Treatment shall be provided under subsection (b) without regard to whether the Hepatitis C virus is determined to be service-connected and without regard to priority group categorization of the veteran. No copayment may be charged for treatment under subsection (b), and no third-party reimbursement may be sought or accepted, under section 1729 of this title or any other provision of law, for testing or treatment under subsection (a) or (b).

"(2) Paragraph (1) shall cease to be in effect upon the effective date of a determination by the Secretary or by Congress that the occurrence of the Hepatitis C virus in specified veterans shall be presumed to be service-connected.

"(d) STAFFING.—(1) The Secretary shall require that each Department medical center employ at least one full-time gastroenterologist, hepatologist, or other qualified physician to provide tests and treatment for the Hepatitis C virus under this section.

"(2) The Secretary shall, to the extent practicable, ensure that each Department medical center has at least one staff member assigned to work, in coordination with Hepatitis C medical personnel, to coordinate treatment options for Hepatitis C patients and provide information and counseling for those patients and their families. Such a staff member should preferably be trained in psychology or psychiatry or be a social worker.

"(3) In order to improve treatment provided to veterans with the Hepatitis C virus, the Secretary shall provide increased training options to Department health care personnel."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1720E the following new item:

"1720F. Hepatitis C testing and treatment."

#### SEC. 3. FUNDING FOR HEPATITIS C PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PROGRAM ACCOUNT.—Beginning with fiscal year 2004, amounts appropriated for the Department of Veterans Affairs for Hepatitis C detection and treatment shall be provided, within the "Medical Care" account, through the "Specific Purpose" subaccount, rather than the "VERA" subaccount.

(b) ALLOCATION OF FUNDS TO VISNS.—In allocating funds appropriated for the Department of Veterans Affairs for the "Medical Care" account to the Veterans Integrated Service Networks, the Secretary of Veterans Affairs shall allocate funds for detection and treatment of the Hepatitis C virus based upon incidence rates of that virus among veterans (rather than based upon the overall population of veterans) in each such network.

(c) LIMITATION ON USE OF FUNDS.—Amounts appropriated for the Department of Veterans Affairs for Hepatitis C detection and treatment through the "Specific Purpose" subaccount may not be used for any other purpose.

#### SEC. 4. NATIONAL POLICY.

(a) STANDARDIZED NATIONWIDE POLICY.—The Secretary of Veterans Affairs shall develop and implement a standardized policy to be applied throughout the Department of Veterans Affairs health care system with respect to the Hepatitis C virus. The policy shall include the testing protocol for the Hepatitis C virus, treatment options, education and notification efforts, and establishment of a specific Hepatitis C diagnosis code for measurement and treatment purposes.

(b) OUTREACH.—The Secretary shall, on an annual basis, take appropriate actions to notify veterans who have not been tested for

the Hepatitis C virus of the need for such testing and the availability of such testing from the Department of Veterans Affairs.

#### SEC. 5. HEPATITIS C CENTERS OF EXCELLENCE.

(a) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish at least one, and not more than three, additional Hepatitis C centers of excellence or additional sites at which activities of Hepatitis C centers of excellence are carried out. Each such additional center or site shall be established at a Department of Veterans Affairs medical center in one of the five geographic service areas (known as a Veterans Integrated Service Network) with the highest case rate of Hepatitis C in fiscal year 1999.

(b) FUNDING.—Funding for the centers or sites established under subsection (a) shall be provided from amounts available to the Central Office of the Department of Veterans Affairs and shall be in addition to amounts allocated for Hepatitis C pursuant to section 3.

By Mr. WYDEN (for himself and Mr. SMITH):

S. 1848. A bill to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administration Site in the State of Oregon; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I am introducing a bill, with my friend and colleague Senator SMITH of Oregon, to amend the Bend Pine Nursery Land Conveyance Act, enacted three years ago, authorizing the sale of the U.S. Forest Service Bend Pine Nursery to the community of Bend, OR, for use as a public park and recreation facility.

In the original bill, Senator SMITH, Congressman WALDEN and I sought to achieve some very basic objectives. We wanted the community of Bend to take title to a property which for many years had been a federally owned plantation for growing pine seedlings, and which will now make a superb park and ball field complex for the use of the community. At the same time, the bill authorized the sale of several other properties in order to raise an account enabling the Forest Service to acquire a new headquarters for the Deschutes National Forest.

In 1999, we drafted the original legislation in very close consultation with the U.S. Forest Service based on the assumption that in so doing, the agency would have the necessary tools and direction to move swiftly to implement the legislation. The intent of the legislation was to have the Forest Service sell the property to the Bend Parks District within a year of its enactment at the estimated value of the property at that time, \$3 million.

Unfortunately, the goodwill built up throughout the drafting process was squandered by the Forest Service. Two years of delays in the implementation of the original legislation resulted in an appraised price of \$5.8 million as opposed to the \$3 million this property was assumed to be worth when the original Bend Pine Nursery Land Conveyance was enacted in 2000. This delay has been inconsistent with the intent

of the original legislation and runs entirely contrary to the interest of Bend taxpayers.

The community has always been more than willing to pay fair value for this property, and their goodwill and their tax dollars should not be wasted any longer.

The bill I introduce today resolves the issues that stand in the way of implementation of this simple land sale in a fair manner, directing the sale to move forward expeditiously for \$3.5 million. That figure is arrived at by assuming the \$3 million value of the property on the day the original Act was passed, allowing for inflation per the Forest Service's calculations, and then deducting the value of acreage that the Forest Service has decided not to sell and 15 acres the Forest Service has the ability to transfer to the local school district at no cost.

I look forward to the expeditious resolution to this issue.

I ask unanimous consent that the text of the bill to be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

#### S. 1848

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SALE OF BEND PINE NURSERY ADMINISTRATIVE SITE.

The Bend Pine Nursery Land Conveyance Act (114 Stat. 2512) is amended—

(1) in section 3—  
(A) in subsection (a)—  
(i) by striking paragraph (1);  
(ii) by redesignating paragraphs (2) through (7) as subparagraphs (A) through (F), respectively, and adjusting the margins appropriately; and  
(iii) by striking “(a) IN GENERAL.—The Secretary may” and inserting the following:

“(a) IN GENERAL.—The Secretary—  
“(1) shall offer to sell to the Bend Metro Park and Recreation District in Deschutes County, Oregon, for consideration in the amount of \$3,505,676, all right, title, and interest of the United States in and to approximately 170 acres of the parcel of land identified as Tract A, Bend Pine Nursery, as depicted on the site plan map entitled ‘Bend Pine Nursery Administrative Site, May 13, 1999’; and

“(2) may”;  
(B) by striking subsection (e)(3); and  
(C) by inserting after subsection (f) the following:

“(g) BEND PINE NURSERY ADMINISTRATIVE SITE.—The land conveyed to the Bend Metro Park and Recreation District under section 3(a)(1)—  
“(1) shall be used only for recreation purposes; and  
“(2) may be developed for those purposes.”.

(2) by redesignating section 6 as section 7; and  
(3) by inserting after section 5 the following:

“SEC. 6. CONVEYANCE TO BEND-LA PINE SCHOOL DISTRICT.  
“The Secretary, in accordance with section 202 of the Education Land Grant Act (16 U.S.C. 479a), shall convey to Administrative School District No. 1, Deschutes County, Oregon, for no consideration, 15 acres of land located in the northwest corner of the tract described in section 3(a)(1), to be used for educational purposes.”.

“(1) shall be used only for recreation purposes; and  
“(2) may be developed for those purposes.”.

(2) by redesignating section 6 as section 7; and  
(3) by inserting after section 5 the following:

“SEC. 6. CONVEYANCE TO BEND-LA PINE SCHOOL DISTRICT.  
“The Secretary, in accordance with section 202 of the Education Land Grant Act (16 U.S.C. 479a), shall convey to Administrative School District No. 1, Deschutes County, Oregon, for no consideration, 15 acres of land located in the northwest corner of the tract described in section 3(a)(1), to be used for educational purposes.”.

“(1) shall be used only for recreation purposes; and  
“(2) may be developed for those purposes.”.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 264—EXPRESSING THE SENSE OF THE SENATE REGARDING VETERANS DAY 2003

Mr. FRIST (for himself, Mr. DASCHLE, Mr. SPECTER, Mr. GRAHAM of Florida, Mr. BINGAMAN, and Mr. DORGAN) submitted the following resolution; which was considered and agreed to:

Whereas tens of millions of Americans have served in the Armed Forces of the United States during the past century;

Whereas hundreds of thousands of Americans have given their lives while serving in the Armed Forces of the United States during the past century;

Whereas the contributions and sacrifices of the men and women who have served in the Armed Forces of the United States have been vital in maintaining our freedoms and way of life;

Whereas the more than 700,000 brave Americans who have sacrificed their lives while serving in the Armed Forces of the United States have ensured that the Nation, which is founded on the principles of freedom, justice, and democracy, shall endure;

Whereas Armistice Day was first proclaimed by President Woodrow Wilson in 1919 to commemorate the November 11, 1918, armistice between the Allies and the Central Powers that ended the fighting of World War I;

Whereas on June 1, 1954, President Dwight D. Eisenhower signed into law the Act proclaiming November 11 as Veterans Day (Public Law 83-380);

Whereas on October 8, 1954, in anticipation of the first nationwide observance of Veterans Day in 1954, President Dwight D. Eisenhower issued a presidential proclamation regarding that Veterans Day which states that “[o]n that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us consecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain”;

Whereas on November 10, 2003, President George W. Bush issued a presidential proclamation regarding Veterans Day 2003 which states that “[t]oday, our veterans inspire new generations of Americans as we work to defeat terrorism and advance peace. In respect for and recognition of the contributions our service men and women have made to the cause of peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor veterans”;

Whereas in 2003 the Senate is in session on November 11 despite that date being a public holiday to honor veterans; and

Whereas it is proper that the Senate observe the day with appropriate tributes and commemorations even as it conducts the Nation's business: Now, therefore, be it

*Resolved*, That it is the sense of the Senate—

(1) that the war dead of the Nation, and veterans of the Armed Forces of the United States, alive or dead, are to be honored for their contributions and sacrifices to preserve the Nation and the principles of freedom, justice, and democracy that all Americans hold dear; and

(2) that Veterans Day 2003 shall be commemorated with appropriate tributes to all veterans of the Armed Forces of the United States for their contributions and sacrifices, and most especially to those who made the ultimate sacrifice; and

(3) that all Americans shall be encouraged to join the Senate in honoring and paying tribute to veterans of the Armed Forces of the United States, both on Veterans Day and throughout the year.

#### SENATE RESOLUTION 265—RECOGNIZING AND HONORING THE FIREFIGHTERS AND OTHER PUBLIC SERVANTS WHO RESPONDED TO THE DEVASTATING OUTBREAK OF WILDFIRES IN SOUTHERN CALIFORNIA IN OCTOBER 2003

Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

#### S. RES. 265

Whereas in late October 2003, southern California experienced multiple simultaneous devastating wildfires that destroyed thousands of homes, took many lives, and burned hundreds of thousands of acres of grasslands and forests, exceeding the devastation of any fires in the past century;

Whereas in the space of a few days, all of the resources of local firefighting companies were called on to man fire lines, first on 1 front and then on many fronts;

Whereas firefighters were thrown into extraordinarily dangerous situations because of the fast-moving, fuel- and wind-driven fires;

Whereas firefighters exhibited resilience and courage by continuing to stay on the lines, often in back-to-back shifts, while knowing, in some instances, that their own families were in danger or that their personal homes had been lost;

Whereas 1 firefighter, Steven Rucker, made the ultimate sacrifice by giving his life;

Whereas the firefighters who were called initially were later assisted by skilled and courageous pilots, who flew water-drop flights in the most challenging wind and smoke conditions, and by firefighters from throughout the State of California and neighboring States;

Whereas additional emergency personnel, including law enforcement and medical personnel, have coordinated with local authorities and firefighters and have performed beyond the call of duty in the preservation and protection of human lives; and

Whereas members of the Armed Forces have once again met their country's call to duty, providing valuable firefighting assets and assistance to the emergency response efforts of California: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and honors all of the firefighters who responded to the devastating outbreak of wildfires in southern California in October 2003;

(2) recognizes and honors all others, including emergency, law enforcement, and medical personnel, pilots, and members of the Armed Forces, for their important contributions to controlling the wildfires and keeping Californians safe; and

(3) commends the firefighters and other personnel for dedicated service to the people of California.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2148. Mr. LUGAR (for himself, Mrs. BOXER, and Mr. SANTORUM) proposed an amendment to the bill H.R. 1828, to halt Syrian support for terrorism, end its occupation



of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes.

SA 2149. Mr. FRIST (for Mr. BOND) submitted an amendment intended to be proposed by Mr. FRIST to the bill S. 286, to revise and extend the Birth Defects Prevention Act of 1998.

#### TEXT OF AMENDMENTS

**SA 2148.** Mr. LUGAR (for himself, Mrs. BOXER, and Mr. SANTORUM) proposed an amendment to the bill H.R. 1828, to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes; as follows:

On page 2, strike lines 8 through 15.

On page 9, strike lines 21 through 24.

On page 15, line 1, strike "will be held responsible" and insert "should bear responsibility".

On page 15, beginning on line 6, strike "shall impede Syria's ability" and insert "will work to deny Syria the ability".

On page 15, strike lines 18 through 20.

On page 16, line 17, insert after "citizen in Iraq" the following: "if the Government of Syria is found to be responsible".

On page 18, strike lines 15 through 20 and insert the following:

(b) **WAIVER.**—The President may waive the application of subsection (a)(1), (a)(2), or both if the President determines that it is in the national security interest of the United States to do so and submits to the appropriate congressional committees a report containing the reasons for the determination.

On page 20, beginning on line 6, strike "withdrawn all Syrian military, intelligence, and other security personnel from Lebanon" and insert "ended its occupation of Lebanon described in section 2(7) of this Act".

On page 21, beginning on line 15, strike "the attacks against the United States that occurred on September 11, 2001, and other".

On page 21, beginning on line 20, strike "given the recognition that Hizbullah is equally or more capable than al Qaeda" and insert "and other terrorist organizations supported by Syria".

**SA 2149.** Mr. FRIST (for Mr. BOND) submitted an amendment intended to be proposed by Mr. FRIST to the bill S. 286, to revise and extend the Birth Defects Prevention Act of 1998; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Birth Defects and Developmental Disabilities Prevention Act of 2003".

#### SEC. 2. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

Section 317C of the Public Health Service Act (42 U.S.C. 247b-4) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)—

(i) by striking "and developmental disabilities" and inserting "developmental disabilities, and disabilities and health"; and

(ii) by striking "subsection (d)(2)" and inserting "subsection (c)(2)";

(B) in subparagraph (B), by striking "and" at the end;

(C) in subparagraph (C), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

"(D) to conduct research on and to promote the prevention of such defects and disabilities, and secondary health conditions among individuals with disabilities; and

"(E) to support a National Spina Bifida Program to prevent and reduce suffering from the Nation's most common permanently disabling birth defect.";

(2) by striking subsection (b);

(3) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

"(1) contains information regarding the incidence and prevalence of birth defects, developmental disabilities, and the health status of individuals with disabilities and the extent to which these conditions have contributed to the incidence and prevalence of infant mortality and affected quality of life";

(B) in paragraph (3), by inserting "developmental disabilities, and secondary health conditions among individuals with disabilities" after "defects";

(C) in paragraph (4), by striking "and" at the end;

(D) by redesignating paragraph (5) as paragraph (7); and

(E) by inserting after paragraph (4) the following:

"(5) contains information on the incidence and prevalence of individuals living with birth defects and disabilities or developmental disabilities, information on the health status of individuals with disabilities, information on any health disparities experienced by such individuals, and recommendations for improving the health and wellness and quality of life of such individuals;

"(6) contains a summary of recommendations from all birth defects research conferences sponsored by the Centers for Disease Control and Prevention, including conferences related to spina bifida; and";

(4) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively;

(5) by inserting after subsection (d) (as so redesignated), the following:

"(e) **ADVISORY COMMITTEE.**—Notwithstanding any other provision of law, the members of the advisory committee appointed by the Director of the National Center for Environmental Health that have expertise in birth defects, developmental disabilities, and disabilities and health shall be transferred to and shall advise the National Center on Birth Defects and Developmental Disabilities effective on the date of enactment of the Birth Defects and Developmental Disabilities Prevention Act of 2003.";

(6) in subsection (f), by striking "\$30,000,000" and all that follows and inserting "such sums as may be necessary for each of fiscal years 2003 through 2007.".

#### SEC. 3. TECHNICAL CORRECTIONS FOR STATE COUNCILS ON DEVELOPMENTAL DISABILITIES.

(a) **IN GENERAL.**—Section 122(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15022(a)) is amended—

(1) in paragraph (3)(A)(ii), by inserting before the period the following: "the amount received by the State for the previous year, or the amount of Federal appropriations re-

ceived in fiscal year 2000, 2001, or 2002, whichever is greater"; and

(2) in paragraph (4)(A)(ii), by inserting before the period the following: "the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater".

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2003 and apply to allotments beginning in fiscal year 2004.

#### SEC. 4. REPORT ON SURVEILLANCE ACTIVITIES.

Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services jointly with the Secretary of Education shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Commerce and Committee on Education and the Workforce of the House of Representatives a report concerning surveillance activities under section 102 of the Children's Health Act of 2000 (Public Law 106-310), specifically including—

(1) a description of the current grantees under the National Autism and Pervasive Developmental Disabilities Surveillance Program and the Centers of Excellence in Autism and Pervasive Developmental Disabilities the data collected, analyzed, and reported under such grants, the sources of such data, and whether such data was obtained with parental consent as required under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g);

(2) a description of current sources of data for the surveillance of autism and developmental disabilities and the methods for obtaining such data, including whether such data was obtained with parental or patient consent for disclosure;

(3) an analysis of research on autism and developmental disabilities with respect to the methods of collection and reporting, including whether such research was obtained with parental or patient consent for disclosure;

(4) an analysis of the need to add education records in the surveillance of autism and other developmental disabilities, including the methodological and medical necessity for such records and the rights of parents and patients in the use of education records (in accordance with the Family Educational Rights and Privacy Act of 1974);

(5) a description of the efforts taken by the Centers for Disease Control and Prevention to utilize education records in conducting the surveillance program while obtaining parental or patient consent for such education records, including the outcomes of such efforts;

(6) a description of the challenges provided to obtaining education records (in the absence of parental or patient consent) for the purpose of obtaining additional surveillance data for autism and other developmental disabilities; and

(7) a description of the manner in which such challenges can be overcome, including efforts to educate parents, increase confidence in the privacy of the surveillance program, and increase the rate of parental or patient consent, and including specific quantitative and qualitative justifications for any recommendations for changes to existing statutory authority, including the Family Educational Rights and Privacy Act of 1974.

#### NOTICES OF HEARINGS/MEETINGS

(At the request of Mr. MCCONNELL, the following statement was ordered to be printed in the RECORD.)

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I announce that the Committee on Indian Affairs will meet on Thursday, November 13, 2003, at 10 a.m., in room 485 of the Russell Senate Office Building to conduct a business meeting to consider S. 1529, the Indian Gaming Regulatory Act amendments of 2003; S. 1721, the American Indian Probate Reform Act of 2003; and S. Res. 248, a resolution expressing the sense of the Senate concerning the Individual Indian Money Account Trust Funds lawsuit.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

## PRIVILEGES OF THE FLOOR

Mr. AKAKA. Mr. President, I ask unanimous consent that Ms. Carol Madonna, a legislative fellow at my personal office, be permitted the privilege of the floor during consideration of the conference report on H.R. 1588, the Defense authorization bill for fiscal year 2004.

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

Mr. DAYTON. I ask unanimous consent that LTC Gregg Blanchard, a military fellow in my office, be given floor privileges for the rest of this debate.

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

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

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

## DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

Mr. FRIST. Mr. President, I now move to proceed to Calendar No. 267, H.R. 2861, VA-HUD appropriations bill.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

Mr. FRIST. I now ask unanimous consent that Senate resume consideration of the bill at 9:30 tomorrow morning.

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

ORDERS FOR WEDNESDAY,  
NOVEMBER 12, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that at 2:15 p.m. on

Wednesday there be 20 minutes equally divided for debate prior to a vote on the adoption of the conference report to accompany the Department of Defense authorization bill; provided further that immediately following that vote, the Senate proceed to a vote on the adoption of the conference report to accompany H.R. 2559, the Military Construction appropriations bill.

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

UNANIMOUS CONSENT REQUEST—  
H.R. 7

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 7, the Charitable Giving bill. I further ask unanimous consent that all after the enacting clause be stricken; that the Snowe amendment and the Grassley-Baucus amendment which are at the desk be agreed to en bloc; that the substitute amendment which is the text of S. 476, the Senate-passed version of the Charitable Giving bill as amended by the Snowe and Grassley and Baucus amendments, be agreed to; that the bill as amended be read a third time and passed; that the motion to reconsider be laid upon the table; further, that the Senate insist upon its amendments and request a conference with the House; and lastly, that the Chair be authorized to appoint conferees with the ratio of 3 to 2; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Senator from Nevada.

Mr. REID. Reserving the right to object, Mr. President, we have heard a lot on our side about the CARE Act. Let me say we are strongly committed to it. We have worked with the majority on a bipartisan basis to avoid the policy disagreements and pass a bill that increases the resources desperately needed by the charitable community.

We strongly support the vital funding for the Social Services Block Grant. The Senate bill restores the Social Services Block Grant to full funding of \$2.8 billion. However, the House provides no such provision.

These grants are used to fund a range of social services, with recipients ranging from children in need of day care or protective services, to elderly or disabled individuals in need of home-delivered meals.

These funds today are urgently needed. We have heard from organizations across the country and across the political spectrum that tell us how important this money is, including: America needs a powerful mobilization of civic energies and a substantial increase in resources, public and private, to confront widespread poverty and social problems. We also need closer and more effective collaboration between the Government and this country's community organizations.

It is because of our strong commitment to this funding and our concern

about what has been happening in conferences that we are here today. Democrats believe that through prompt passage of the reconciled CARE and Charitable Giving Acts, Congress will provide the leadership to translate these concerns to action.

Therefore, Mr. President, I ask consent that the leader would modify his request to provide for all the provisions of his request, except the portion on going to conference. We stand ready now to pass this bill and send it to the House, just as we have done on several bills in the past week—for example, the military tax bill. Just today we amended and passed the Syrian Accountability Act. It is not unusual for the Senate to send a measure to the House with an amendment, just as we are now suggesting with respect to H.R. 7.

The PRESIDING OFFICER. Does the majority leader modify his request?

Mr. FRIST. Mr. President, I object to the proposed modification.

The PRESIDING OFFICER. Objection is heard with respect to the proposed modification.

Mr. REID. I object to the leader's request.

The PRESIDING OFFICER. Objection is heard to the unanimous consent request.

## VETERANS DAY 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 264, a sense-of-the-Senate resolution regarding Veterans Day, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 264) expressing the sense of the Senate regarding Veterans Day 2003.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, November 11 was originally known as Armistice Day to celebrate the end of World War I. In 1938, Congress declared November 11 a national holiday in the hopes that the world would never ever again see a battle so fierce and so devastating as that First World War, but that was not to be.

Only a few years later, World War II broke out in Europe. America would lose 407,000 servicemen in battle. Henceforth, the movement began to recognize our heroes in uniform.

In 1954, President Eisenhower proclaimed November 11 Veterans Day. He told the Nation at that time that it was his "earnest hope that all veterans, their organizations, and the entire citizenry will join hands to ensure proper and widespread observance of this day."

Today, nearly 50 years later, we join hands to pay tribute to that very special group of people who have brought our country such honor, whose courage and whose sacrifice have secured our

liberty; the men and women of the Armed Forces; people such as Senator DANIEL INOUE, who fought so valiantly in World War II and earned the highest award that can be bestowed, the Medal of Honor; Senator MCCAIN, who served with singular courage and sacrifice in Vietnam; Senator STEVENS, a World War II Air Force pilot, who earned two distinguished Flying Crosses, two Air Medals, and the Yuan Hai medal from the Republic of China. JOHN WARNER, CHUCK HAGEL, and FRITZ HOLLINGS are also Members of this distinguished body who served in battle with honor and with courage.

It is because of them and over 46 million veterans since our Nation's founding that we are today free—free to debate in these Halls of Congress, free to raise our families with the values that we choose. It is because of the sacrifices of these special Americans that we have the freedom to live as fully and as completely as our imaginations will allow, to realize those blessings of liberty.

The last 2 years have put these blessings in stark relief. On September 11, when our enemies struck, and the billows of smoke were rising out of the World Trade Center and the Pentagon here in Washington, DC, and in that pulverized plane on a Pennsylvania field, we saw that determined face of evil.

But as clear as the blue sky above—and who will ever forget that bright, stark, blue sky on that morning?—we saw the blessings of liberty. We relearned that freedom indeed is precious and that freedom must be defended.

Since that day a new generation of men and women have heard the calling—so young yet so brave. They are taking the battle to the enemy. The men and women in the Armed Forces are proving every day that America is a courageous and a compassionate nation, and that our cause is just.

We are blessed to have such heroes among us. Today we honor them as well. We are working with the President to improve our veterans' quality of life by securing the benefits afforded to them for their service. Access to quality care is critical to our veterans. Veterans hospitals have been the focal point of veterans' health care delivery.

We are also working to improve the hospital system to allow disabled veterans to collect, over 10 years, the portions of their pensions that they do not receive under current law. Veterans with combat-related injuries and those who are considered 50-percent disabled would qualify for these benefits. It is our intent to have this legislation enacted this year.

For our future veterans, we have expanded funding to support our troops. In the 2004 emergency Iraq-Afghanistan supplemental appropriations bill, military personnel salaries and benefits were increased to \$17.8 billion for Guard and Reserve troops activated for duty.

In addition, much of the funding in this supplemental appropriations bill

will be used to support military operations and provide needed equipment to our troops overseas.

We are also working to help our fighting men and women by improving veterans health care and the TRICARE program for our armed services. The recently enacted supplemental bill increases TRICARE benefits to thousands of members of the Guard and Reserve.

In these and other concrete ways, we are working hard to support those whose serve us so ably. In doing so, we not only recognize their contribution, we recognize the great purpose of our Nation.

In the midst of the Revolution, the great essayist Thomas Paine told his fellow Americans:

These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country, but he that stands it now deserves the love and thanks of man and woman.

Today we express our love and thanks to the men and women who have stood to defend our freedoms in battles past, and to all of the soldiers today in the field, I thank you. America thanks you.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 264) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 264

Whereas tens of millions of Americans have served in the Armed Forces of the United States during the past century;

Whereas hundreds of thousands of Americans have given their lives while serving in the Armed Forces of the United States during the past century;

Whereas the contributions and sacrifices of the men and women who have served in the Armed Forces of the United States have been vital in maintaining our freedoms and way of life;

Whereas the more than 700,000 brave Americans who have sacrificed their lives while serving in the Armed Forces of the United States have ensured that the Nation, which is founded on the principles of freedom, justice, and democracy, shall endure;

Whereas Armistice Day was first proclaimed by President Woodrow Wilson in 1919 to commemorate the November 11, 1918, armistice between the Allies and the Central Powers that ended the fighting of World War I;

Whereas on June 1, 1954, President Dwight D. Eisenhower signed into law the Act proclaiming November 11 as Veterans Day (Public Law 83-380);

Whereas on October 8, 1954, in anticipation of the first nationwide observance of Veterans Day in 1954, President Dwight D. Eisenhower issued a presidential proclamation regarding that Veterans Day which states that "[o]n that day let us solemnly remember the sacrifices of all those who fought so

valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain";

Whereas on November 10, 2003, President George W. Bush issued a presidential proclamation regarding Veterans Day 2003 which states that "[t]oday, our veterans inspire new generations of Americans as we work to defeat terrorism and advance peace. In respect for and recognition of the contributions our service men and women have made to the cause of peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor veterans";

Whereas in 2003 the Senate is in session on November 11 despite that date being a public holiday to honor veterans; and

Whereas it is proper that the Senate observe the day with appropriate tributes and commemorations even as it conducts the Nation's business: Now, therefore, be it

*Resolved*, That it is the sense of the Senate—

(1) that the war dead of the Nation, and veterans of the Armed Forces of the United States, alive or dead, are to be honored for their contributions and sacrifices to preserve the Nation and the principles of freedom, justice, and democracy that all Americans hold dear;

(2) that Veterans Day 2003 shall be commemorated with appropriate tributes to all veterans of the Armed Forces of the United States for their contributions and sacrifices, and most especially to those who made the ultimate sacrifice; and

(3) that all Americans shall be encouraged to join the Senate in honoring and paying tribute to veterans of the Armed Forces of the United States, both on Veterans Day and throughout the year.

#### BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES PREVENTION ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar item No. 369, S. 286.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 286) to revise and extend the Birth Defects Prevention Act of 1998.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

#### S. 286

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

[This Act may be cited as the "Birth Defects and Developmental Disabilities Prevention Act of 2003".]

#### SEC. 2. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

[Section 317C of the Public Health Service Act (42 U.S.C. 247b-4) is amended—

[(1) in subsection (a)(2)—

[(A) in subparagraph (A)—

[(i) by striking “and developmental disabilities” and inserting “, developmental disabilities, and disabilities and health”; and

[(ii) by striking “subsection (d)(2)” and inserting “subsection (c)(2)”;

[(B) in subparagraph (B), by striking “and” at the end;

[(C) in subparagraph (C), by striking the period and inserting a semicolon; and

[(D) by adding at the end the following:

“(D) to conduct research on and to promote the prevention of such defects and disabilities, and secondary health conditions among individuals with disabilities; and

“(E) to support a National Spina Bifida Program to prevent and reduce suffering from the Nation’s most common permanently disabling birth defect.”;

[(2) by striking subsection (b);

[(3) in subsection (d)—

[(A) by striking paragraph (1) and inserting the following:

“(1) contains information regarding the incidence and prevalence of birth defects, developmental disabilities, and the health status of individuals with disabilities and the extent to which these conditions have contributed to the incidence and prevalence of infant mortality and affected quality of life;”;

[(B) in paragraph (3), by inserting “, developmental disabilities, and secondary health conditions among individuals with disabilities” after “defects”;

[(C) in paragraph (4), by striking “and” at the end;

[(D) by redesignating paragraph (5) as paragraph (7); and

[(E) by inserting after paragraph (4) the following:

“(5) contains information on the incidence and prevalence of individuals living with birth defects and disabilities or developmental disabilities, information on the health status of individuals with disabilities, information on any health disparities experienced by such individuals, and recommendations for improving the health and wellness and quality of life of such individuals;

“(6) contains a summary of recommendations from all birth defects research conferences sponsored by the Centers for Disease Control and Prevention, including conferences related to spina bifida; and”;

[(4) in subsection (e)—

[(A) by inserting “, including section 444 of the General Education Provisions Act,” after “privacy of information”; and

[(B) by inserting before the period the following: “, except that the Centers for Disease Control and Prevention shall have access to information under section 444(b)(1)(F) of such Act solely for purposes of carrying out subsection (a)(2) of this section and shall otherwise comply with all other requirements of such section 444”;

[(5) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively;

[(6) by inserting after subsection (d) (as so redesignated), the following:

“(e) **ADVISORY COMMITTEE.**—Notwithstanding any other provision of law, the members of the advisory committee appointed by the Director of the National Center for Environmental Health that have expertise in birth defects, developmental disabilities, and disabilities and health shall be transferred to and shall advise the National Center on Birth Defects and Developmental Disabilities effective on the date of enactment of the Birth Defects and Developmental Disabilities Prevention Act of 2003.”; and

[(7) in subsection (f), by striking “\$30,000,000” and all that follows and inserting “such sums as may be necessary for each of fiscal years 2003 through 2007.”.

### SEC. 3. TECHNICAL CORRECTIONS FOR STATE COUNCILS ON DEVELOPMENTAL DISABILITIES.

[Section 122(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15022(a)) is amended—

[(1) in paragraph (3)(A)(ii), by inserting before the period the following: “, the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater”; and

[(2) in paragraph (4)(A)(ii), by inserting before the period the following: “, the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater.”.]

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Birth Defects and Developmental Disabilities Prevention Act of 2003”.*

### SEC. 2. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

*Section 317C of the Public Health Service Act (42 U.S.C. 247b-4) is amended—*

*(1) in subsection (a)(2)—*

*(A) in subparagraph (A)—*

*(i) by striking “and developmental disabilities” and inserting “, developmental disabilities, and disabilities and health”; and*

*(ii) by striking “subsection (d)(2)” and inserting “subsection (c)(2)”;*

*(B) in subparagraph (B), by striking “and” at the end;*

*(C) in subparagraph (C), by striking the period and inserting a semicolon; and*

*(D) by adding at the end the following:*

*“(D) to conduct research on and to promote the prevention of such defects and disabilities, and secondary health conditions among individuals with disabilities; and*

*“(E) to support a National Spina Bifida Program to prevent and reduce suffering from the Nation’s most common permanently disabling birth defect.”;*

*(2) by striking subsection (b);*

*(3) in subsection (d)—*

*(A) by striking paragraph (1) and inserting the following:*

*“(1) contains information regarding the incidence and prevalence of birth defects, developmental disabilities, and the health status of individuals with disabilities and the extent to which these conditions have contributed to the incidence and prevalence of infant mortality and affected quality of life;”;*

*(B) in paragraph (3), by inserting “, developmental disabilities, and secondary health conditions among individuals with disabilities” after “defects”;*

*(C) in paragraph (4), by striking “and” at the end;*

*(D) by redesignating paragraph (5) as paragraph (7); and*

*(E) by inserting after paragraph (4) the following:*

*“(5) contains information on the incidence and prevalence of individuals living with birth defects and disabilities or developmental disabilities, information on the health status of individuals with disabilities, information on any health disparities experienced by such individuals, and recommendations for improving the health and wellness and quality of life of such individuals;*

*“(6) contains a summary of recommendations from all birth defects research conferences sponsored by the Centers for Disease Control and Prevention, including conferences related to spina bifida; and”;*

*(4) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively;*

*(5) by inserting after subsection (d) (as so redesignated), the following:*

*“(e) **ADVISORY COMMITTEE.**—Notwithstanding any other provision of law, the members of the*

*advisory committee appointed by the Director of the National Center for Environmental Health that have expertise in birth defects, developmental disabilities, and disabilities and health shall be transferred to and shall advise the National Center on Birth Defects and Developmental Disabilities effective on the date of enactment of the Birth Defects and Developmental Disabilities Prevention Act of 2003.”;* and

*(6) in subsection (f), by striking “\$30,000,000” and all that follows and inserting “such sums as may be necessary for each of fiscal years 2003 through 2007.”.*

### SEC. 3. TECHNICAL CORRECTIONS FOR STATE COUNCILS ON DEVELOPMENTAL DISABILITIES.

*(a) IN GENERAL.*—Section 122(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15022(a)) is amended—

*(1) in paragraph (3)(A)(ii), by inserting before the period the following: “, the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater”; and*

*(2) in paragraph (4)(A)(ii), by inserting before the period the following: “, the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater.”.*

*(b) EFFECTIVE DATE.*—The amendments made by subsection (a) shall take effect on October 1, 2003 and apply to allotments beginning in fiscal year 2004.

### SEC. 4. REPORT ON SURVEILLANCE ACTIVITIES.

*Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services jointly with the Secretary of Education shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and Committee on Education and the Workforce of the House of Representatives a report concerning surveillance activities under section 102 of the Children’s Health Act of 2000 (Public Law 106-310), specifically including—*

*(1) a description of the current grantees under the National Autism and Pervasive Developmental Disabilities Surveillance Program and the Centers of Excellence in Autism and Pervasive Developmental Disabilities the data collected, analyzed, and reported under such grants, the sources of such data, and whether such data was obtained with parental consent as required under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g);*

*(2) a description of current sources of data for the surveillance of autism and developmental disabilities and the methods for obtaining such data, including whether such data was obtained with parental or patient consent for disclosure;*

*(3) an analysis of research on autism and developmental disabilities with respect to the methods of collection and reporting, including whether such research was obtained with parental or patient consent for disclosure;*

*(4) an analysis of the need to add education records in the surveillance of autism and other developmental disabilities, including the methodological and medical necessity for such records and the rights of parents and patients in the use of education records (in accordance with the Family Educational Rights and Privacy Act of 1974);*

*(5) a description of the efforts taken by the Centers for Disease Control and Prevention to utilize education records in conducting the surveillance program while obtaining parental or patient consent for such education records, including the outcomes of such efforts;*

*(6) a description of the challenges provided to obtaining education records (in the absence of parental or patient consent) for the purpose of obtaining additional surveillance data for autism and other developmental disabilities; and*

(7) a description of the manner in which such challenges can be overcome, including efforts to educate parents, increase confidence in the privacy of the surveillance program, and increase the rate of parental or patient consent, and including specific quantitative and qualitative justifications for any recommendations for changes to existing statutory authority, including the Family Educational Rights and Privacy Act of 1974.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment which is at the desk be agreed to; the committee-reported substitute, as amended, be agreed to, that the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table en bloc; and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 2149) was agreed to, as follows:

#### AMENDMENT NO. 2149

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Birth Defects and Developmental Disabilities Prevention Act of 2003".

#### SEC. 2. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

Section 317C of the Public Health Service Act (42 U.S.C. 247b-4) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)—

(i) by striking "and developmental disabilities" and inserting ", developmental disabilities, and disabilities and health"; and

(ii) by striking "subsection (d)(2)" and inserting "subsection (c)(2)";

(B) in subparagraph (B), by striking "and" at the end;

(C) in subparagraph (C), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

"(D) to conduct research on and to promote the prevention of such defects and disabilities, and secondary health conditions among individuals with disabilities; and

"(E) to support a National Spina Bifida Program to prevent and reduce suffering from the Nation's most common permanently disabling birth defect.";

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

"(1) contains information regarding the incidence and prevalence of birth defects, developmental disabilities, and the health status of individuals with disabilities and the extent to which these conditions have contributed to the incidence and prevalence of infant mortality and affected quality of life;"

(B) in paragraph (3), by inserting ", developmental disabilities, and secondary health conditions among individuals with disabilities" after "defects";

(C) in paragraph (4), by striking "and" at the end;

(D) by redesignating paragraph (5) as paragraph (7); and

(E) by inserting after paragraph (4) the following:

"(5) contains information on the incidence and prevalence of individuals living with birth defects and disabilities or developmental disabilities, information on the health status of individuals with disabilities, information on any health disparities experi-

enced by such individuals, and recommendations for improving the health and wellness and quality of life of such individuals;

"(6) contains a summary of recommendations from all birth defects research conferences sponsored by the Centers for Disease Control and Prevention, including conferences related to spina bifida; and";

(4) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively;

(5) by inserting after subsection (d) (as so redesignated), the following:

"(e) ADVISORY COMMITTEE.—Notwithstanding any other provision of law, the members of the advisory committee appointed by the Director of the National Center for Environmental Health that have expertise in birth defects, developmental disabilities, and disabilities and health shall be transferred to and shall advise the National Center on Birth Defects and Developmental Disabilities effective on the date of enactment of the Birth Defects and Developmental Disabilities Prevention Act of 2003.";

(6) in subsection (f), by striking "\$30,000,000" and all that follows and inserting "such sums as may be necessary for each of fiscal years 2003 through 2007.".

#### SEC. 3. TECHNICAL CORRECTIONS FOR STATE COUNCILS ON DEVELOPMENTAL DISABILITIES.

(a) IN GENERAL.—Section 122(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15022(a)) is amended—

(1) in paragraph (3)(A)(ii), by inserting before the period the following: ", the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater"; and

(2) in paragraph (4)(A)(ii), by inserting before the period the following: ", the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2003 and apply to allotments beginning in fiscal year 2004.

#### SEC. 4. REPORT ON SURVEILLANCE ACTIVITIES.

Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services jointly with the Secretary of Education shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and Committee on Education and the Workforce of the House of Representatives a report concerning surveillance activities under section 102 of the Children's Health Act of 2000 (Public Law 106-310), specifically including—

(1) a description of the current grantees under the National Autism and Pervasive Developmental Disabilities Surveillance Program and the Centers of Excellence in Autism and Pervasive Developmental Disabilities the data collected, analyzed, and reported under such grants, the sources of such data, and whether such data was obtained with parental consent as required under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g);

(2) a description of current sources of data for the surveillance of autism and developmental disabilities and the methods for obtaining such data, including whether such data was obtained with parental or patient consent for disclosure;

(3) an analysis of research on autism and developmental disabilities with respect to the methods of collection and reporting, including whether such research was obtained

with parental or patient consent for disclosure;

(4) an analysis of the need to add education records in the surveillance of autism and other developmental disabilities, including the methodological and medical necessity for such records and the rights of parents and patients in the use of education records (in accordance with the Family Educational Rights and Privacy Act of 1974);

(5) a description of the efforts taken by the Centers for Disease Control and Prevention to utilize education records in conducting the surveillance program while obtaining parental or patient consent for such education records, including the outcomes of such efforts;

(6) a description of the challenges provided to obtaining education records (in the absence of parental or patient consent) for the purpose of obtaining additional surveillance data for autism and other developmental disabilities; and

(7) a description of the manner in which such challenges can be overcome, including efforts to educate parents, increase confidence in the privacy of the surveillance program, and increase the rate of parental or patient consent, and including specific quantitative and qualitative justifications for any recommendations for changes to existing statutory authority, including the Family Educational Rights and Privacy Act of 1974.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The bill (S. 286), as amended, was passed.

#### HONORING FIREFIGHTERS AND OTHER PUBLIC SERVANTS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 265, which was introduced earlier today by Senator BOXER.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 265) recognizing and honoring firefighters and other public servants who responded to the devastating outbreak of wildfires in Southern California in October 2003.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table without any intervening action or debate, and that any statements related to this matter be printed in the RECORD.

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

The resolution (S. Res. 265) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 265

Whereas in late October 2003, southern California experienced multiple simultaneous devastating wildfires that destroyed

thousands of homes, took many lives, and burned hundreds of thousands of acres of grasslands and forests, exceeding the devastation of any fires in the past century;

Whereas in the space of a few days, all of the resources of local firefighting companies were called on to man fire lines, first on 1 front and then on many fronts;

Whereas firefighters were thrown into extraordinarily dangerous situations because of the fast-moving, fuel- and wind-driven fires;

Whereas firefighters exhibited resilience and courage by continuing to stay on the lines, often in back-to-back shifts, while knowing, in some instances, that their own families were in danger or that their personal homes had been lost;

Whereas 1 firefighter, Steven Rucker, made the ultimate sacrifice by giving his life;

Whereas the firefighters who were called initially were later assisted by skilled and courageous pilots, who flew water-drop flights in the most challenging wind and smoke conditions, and by firefighters from throughout the State of California and neighboring States;

Whereas additional emergency personnel, including law enforcement and medical personnel, have coordinated with local authorities and firefighters and have performed beyond the call of duty in the preservation and protection of human lives; and

Whereas members of the Armed Forces have once again met their country's call to duty, providing valuable firefighting assets and assistance to the emergency response efforts of California: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and honors all of the firefighters who responded to the devastating outbreak of wildfires in southern California in October 2003;

(2) recognizes and honors all others, including emergency, law enforcement, and medical personnel, pilots, and members of the Armed Forces, for their important contributions to controlling the wildfires and keeping Californians safe; and

(3) commends the firefighters and other personnel for dedicated service to the people of California.

#### DISTRICT OF COLUMBIA MILITARY RETIREMENT EQUITY ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be dis-

charged from further consideration of H.R. 3054 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3054) to amend the Policemen and Firemen's Retirement and Disability Act to permit military service previously performed by members and former members of the Metropolitan Police Department of the District of Columbia, the Fire Department of the District of Columbia, the United States Park Police, and the United States Secret Service to count as creditable service for purposes of calculating retirement annuities payable to such members upon payment of a contribution by such members, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (H.R. 3054) was read the third time and passed.

#### ORDERS FOR WEDNESDAY, NOVEMBER 12, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, November 12. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the VA-HUD appropriations bill, as under the previous order.

I further ask consent that the senior Senator from West Virginia be recognized at noon for up to 30 minutes; provided further that the majority leader be recognized at 6 p.m.

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

#### PROGRAM

Mr. FRIST. Tomorrow morning, the Senate will begin consideration of the VA-HUD appropriations bill. This will be the last of the appropriations bills brought individually to the floor. We expect to have amendments offered in the morning and therefore rollcall votes are anticipated tomorrow morning. It is my hope that we can finish that bill during Wednesday's session.

As previously announced, the Senate will recess from 12:30 to 2:15 for the Democratic Party luncheon. Following that recess, there will be 20 minutes remaining for debate before the vote on adoption of the Department of Defense authorization conference report. Immediately following that vote, the Senate will vote on the adoption of the Military Construction appropriations conference report.

Tomorrow evening it is my intent to focus the Senate's attention on several judicial nominations. This debate will go forward. I do encourage all Members to participate. This will be an opportunity for all Members to express themselves with respect to these highly qualified nominees. I hope that if Senators have reservations on any of these judicial nominations they would be present for this important debate.

I have stated repeatedly on the floor that we need to give these nominations a very straightforward up-or-down vote. I will have more to say on the plans for tomorrow night tomorrow but I do want to announce that this important debate will begin tomorrow evening.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

Thereupon, the Senate, at 9:03 p.m., adjourned until Wednesday, November 12, 2003, at 9:30 a.m.